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# HOUSE SYNOPSIS

45th General Assembly.

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List of House Bills,  
House Rules, Committees, Etc.,

SHOWING

When and By Whom Introduced,

AND

Senate Bills in the House.

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Action of Governor  
On Bills Laid Before Him.

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Issued by B. H. McCann, Acting Clerk of the House.

JUNE 5, 1907.



SPRINGFIELD, ILL.  
PHILLIPS BROS., STATE PRINTERS.  
1907.

## Officers of the House, 45th General Assembly.

**Speaker**—Edward D. Shurtleff.

**Clerk**—John A. Reeve.

**First Assistant Clerk**—B. H. McCann.

**Second Assistant Clerk**—Thomas S. Williams.

**Third Assistant Clerk**—William T. Harlan.

**Doorkeeper**—Edwin Harlan.

**First Assistant Doorkeeper**—James Haley.

**Second Assistant Doorkeeper**—J. B. Bush.

**Third Assistant Doorkeeper**—H. B. Hart.

**Postmistress**—Mrs. Millie Jackson.

**Assistant Postmistress**—Mrs. Henrietta Vest.

**Enrolling and Engrossing Clerk**—James Kinney.

**First Assistant Enrolling and Engrossing Clerk**—Charles W. Baldwin.

**Second Assistant Doorkeeper**—George Johnson.

**Chaplain**—Rev. David G. Bradford.



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## Rules of the House, Forty-Fifth General Assembly.

### MEMBERS.

1. No member shall absent himself from the sessions of the House unless he have leave or be sick, or his absence be unavoidable. A majority of the House shall constitute a quorum, but a smaller number may adjourn from day to day, or for a less time than one day.
2. No member shall name another member present in debate.
3. Rooms 10 and 11 are set apart for smoking rooms during the session of the House. No smoking shall be allowed in the hall, lobbies or galleries.
4. No person shall be allowed to use the Representative hall for the purpose of a public lecture.
5. No person other than members and officers of the House, members and officers of the Senate, the Governor and State officers and their secretaries, ex-State officers, the Judges of the Supreme Court, members of Congress, and ex-members of Congress, members of the last constitutional convention of the State, ex-members of the General Assembly, and reporters of the press, shall be entitled to remain upon the floor of the House without special permission, and then only to the corridor outside the rail and back of the Speaker's stand.

### THE SPEAKER.

6. The Speaker shall take the chair every day at precisely the hour to which the House shall have adjourned on the preceding day; shall immediately call the members to order, and, on the appearance of a quorum, shall cause the Journal of the preceding day to be read.
7. He shall preserve decorum and order, and for that purpose the officers and employes of the House shall be under his direction; may speak to points of order in preference to other members, rising from his seat for that purpose, and shall decide all questions of order, subject to an appeal to the House by any two members—on which appeal no member shall speak more than once, unless by leave of the House.
8. He shall rise to put a question, but may state it sitting.
9. The Speaker shall examine and correct the Journal before it is read; and the same shall be printed and upon the desks of members before the same can be approved; he shall have general direction of the hall; he shall have the right to name any member to perform the duties of the chair, but such substitution shall not extend beyond five days after adjournment.
10. All acts, addresses and joint resolutions shall be signed by the Speaker; and all writs, warrants and subpoenas issued by order of the House shall be under his hand and seal, and attested by the Clerk.
11. In case of any disturbance or disorderly conduct on the floor of the House, in the lobby or galleries, by the spectators, the Speaker or Chairman of the Committee of the Whole House, shall have power to order the floor of the House, the lobby or galleries to be cleared of spectators, and for that purpose the officers and employes of the House shall be under the orders and direction of the Speaker or Chairman of the Committee of the Whole House as the case may be.

## ORDER OF BUSINESS.

12. The following shall be the daily order of business of the House:

1. Reading of the Journal.
2. Petitions.
3. Reports from standing committees.
4. Reports from select committees.
5. Messages on the Speaker's desk.
6. Introduction of bills.
7. House bills on first reading.
8. House bills on third reading.
9. House bills on second reading.
10. Senate bills on third reading.
11. Senate bills on second reading.
12. Senate bills on first reading.
13. Senate messages other than bills.
14. Resolutions.
15. Unfinished business.

And such order of business shall not be changed except by a two-thirds vote.

## COMMITTEES.

13. All committees shall be appointed by the Speaker unless otherwise specially directed by the House.

The following standing committees shall be appointed by the Speaker, with leave to report by bill or otherwise, and to them respectively shall be referred all bills or resolutions pertaining to the subjects indicated by the names of said respective committees, to-wit:

## STANDING COMMITTEES OF THE HOUSE.

1. Agriculture—Twenty-five members.
2. Appropriations—Forty-four members.
3. Banks and Banking—Twenty-four members.
4. Building, Loan and Homestead Associations—Twenty-three members.
5. Canal, River Improvement and Commerce—Twenty-three members.
6. Chicago Charter—Thirty-nine members.
7. Claims—Sixteen members.
8. Contingent Expenses—Ten members.
9. Corporations—Thirty-seven members.
10. County and Township Organization—Nineteen members.
11. Drainage and Waterways—Twenty-five members.
12. Education—Twenty-seven members.
13. Elections—Twenty-five members.
14. Engrossed Bills—Seven members.
15. Executive Department—Sixteen members.
16. Farm Drainage—Seventeen members.
17. Federal Relations—Fifteen members.
18. Fees and Salaries—Seventeen members.
19. Finance—Fifteen members.
20. Fish and Game—Twenty-one members.
21. Good Roads—Twenty-three members.
22. State Geological Survey—Fifteen members.
23. Horticulture—Twenty-one members.
24. Insurance—Twenty-eight members.
25. Joint Rules—Four members.
26. Judiciary—Forty-four members.
27. Judicial Department and Practice—Twenty-seven members.
28. Labor and Industrial Affairs—Eighteen members.
29. Libraries—Twenty-one members.
30. License—Twenty-four members.
31. Live Stock and Dairying—Twenty-one members.
32. Manufacturers—Sixteen members.
33. Military Affairs—Nineteen members.



34. Mines and Mining—Twenty-five members.
35. Miscellaneous Subjects—Sixteen members.
36. Municipal Corporations—Thirty-four members.
37. Parks and Boulevards—Twenty-five members.
38. Penal and Reformatory Institutions—Twenty-three members.
39. Primary Elections—Twenty-five members.
40. Printing—Fifteen members.
41. Public Buildings and Grounds—Sixteen members.
42. Public Charities—Seventeen members.
43. Railroads—Twenty-nine members.
44. Retrenchments—Fifteen members.
45. Revenue—Twenty-eight members.
46. Rights of the Minority—Nineteen members, with the right to a clerk in addition to the number allowed by law.
47. Roads and Bridges—Twenty-five members.
48. Rules (consisting of the Speaker and eight members)—Nine members.
49. Sanitary Affairs—Seventeen members.
50. State and County Fairs—Seventeen members.
51. State and Municipal Civil Service Reform—Twenty-three members.
52. Judicial Apportionment—Thirty members.
53. State and Municipal Indebtedness—Seventeen members.
54. State Institutions—Twenty-two members.
55. Statutory Revision—Sixteen members.
56. Soldiers' and Sailors' Home and Soldiers' Orphans' Home—Fourteen members.
57. To Visit the State Charitable Institutions—Eleven members.
58. To Visit Educational Institutions—Eleven members.
59. To Visit Penal and Reformatory Institutions—Eleven members.
60. Warehouses—Twenty members.
61. Fraternal and Mutual Insurance—Fifteen members.
62. Municipal Courts of Chicago—Seventeen members.

14. A majority of any committee shall be a sufficient number to proceed to business.

15. When a resolution shall be offered, or a motion made to refer any subject other than bills, and different committees shall be proposed, the question shall be taken in the following order: The Committee of the Whole House, a Standing Committee or a Select Committee.

16. It shall be the duty of the Committee on Engrossed Bills to examine all engrossed bills, correct any mistakes therein, and report the bills to the House forthwith; and it shall be in order for it to report at any time.

17. When any bill is about to be considered by a committee, the introducer of the bill shall be notified of the time and place where such bill shall be considered by such committee.

#### BILLS.

18. When the roll shall be called for the first introduction of bills, each member may introduce three bills. And should the call be suspended by adjournment or otherwise, the calling of the roll shall be taken up, when that order of business is reached, at the point at which it was discontinued, and this order shall be observed until the roll call shall be alphabetically completed, and no bill shall be introduced after the 28th day of February, 1907, except by one of the standing committees of the House.

19. The Clerk shall indorse on every bill the number thereof, the name of the member introducing it, the date of introduction and the several orders taken thereon; and when printed, said several indorsements shall be printed at the head of the bill.

20. When a bill is introduced it shall be read by its title, ordered printed and referred to the proper committee for consideration. It is hereby made the duty of any member introducing a bill proposing an amendment to any statute law of this State, to underscore the word or words comprising the proposed amendment, and no bill shall be printed until such word or words are underscored. All parts of bills which are underscored shall be printed in italics.

21. The Clerk shall as soon as any bill is printed, place the same in the postoffice boxes of the members; and printed bills shall be furnished to others than public officers and members of the General Assembly and the press only on the written order of the Speaker, the President and the President pro tem. of the Senate, and members of the General Assembly.

22. Amendments to bills may be offered at the conclusion of the second reading, and all amendments to bills, except amendments by striking out, shall be printed when adopted, and shall in like manner be deposited in the postoffice boxes of the members one day before such amended bill shall be read the third time.

23. After the second reading of the bill, and amendments if any, the Speaker shall state that the bill is ready to be ordered engrossed for a third reading.

24. The vote on the full passage of all bills shall be by yeas and nays, upon each bill separately, and shall be entered upon the Journal; and when a bill shall fail to receive a constitutional majority upon its passage, the Speaker shall declare that the bill has failed to pass.

25. When an emergency is expressed in the preamble or body of an act, as a reason why such act should take effect prior to the first day of July next after its passage, and when such an act contains a clause or proviso fixing such time prior to the first day of July, the question shall be, "Shall the bill pass?" and if decided affirmatively by a vote of two-thirds of the members elected to the House, then the bill shall be deemed passed; and if, upon such vote, a majority of said members elected, but less than two-thirds thereof, vote affirmatively on said question, then the vote on said bill shall be deemed reconsidered, and the bill subject to amendment by striking out such part thereof as expresses an emergency and the time of taking effect, and then said bill shall be under consideration upon its third reading, with the emergency clause and time of taking effect stricken out.

26. Every bill shall be read at large on three different days.

27. When a bill passes it shall be certified by the Clerk, who, at the foot thereof, shall note the day it passes.

#### REFERENCES.

28. Appropriation bills which contain provisions relating to nothing else than the appropriation, and apportionment bills which contain provisions relating to nothing else than the apportionment, shall be in order in preference to any other bills unless otherwise ordered. All bills for appropriations of money from the State treasury, or providing for the expenditure of money, when referred to other committees and by them reported back to the House with favorable recommendations, shall be referred to the Committee on Appropriations for its consideration before being finally acted upon by the House.

29. All questions relating to the priority of business to be acted on, shall be decided by the Speaker without debate.

#### RECONSIDERATION.

30. When a question has been once made and carried in the affirmative or negative, it shall be in order for a member of the majority to move for a reconsideration thereof, or give notice that he will make such motion within the time prescribed by this rule, for which time he shall control the motion. But no motion for the reconsideration of any vote shall be in order after a bill, resolution, message, report, amendment or motion, upon which the vote was taken, shall have gone out of the possession of the House; nor shall any motion for reconsideration be in order unless within the next day of actual session of the House: Provided, That should the member giving notice of a motion to reconsider, not make such motion within the time prescribed by the rule, any other member voting with the majority may make such motion within the next succeeding legislative day. Such motion shall take precedence of all other questions, except a motion to adjourn: And, provided further, That when a bill has passed the House it shall require a



constitutional majority to reconsider the vote by which the same was passed: And provided also, when a motion to reconsider the vote by which a bill is passed, is made, or a notice is given that such motion will be made within three days of the last legislative day of the session, it will then be in order for any member to move that such motion or notice of motion may be taken up and disposed of.

#### PRACTICE.

31. The yeas and nays shall be taken on any question upon the demand of five members.

32. Upon the call of the House for the yeas and nays on any question, the names of the members shall be called in alphabetical order.

33. A motion to strike out the enacting words of a bill shall have the precedence of a motion to amend, and, if carried, shall be considered equivalent to its rejection.

34. No person shall visit or remain at the Clerk's table while the yeas and nays are being called, and in the performance of their duties, all clerks of the House shall be under the supervision and control of the Speaker.

35. A motion for commitment, until it shall be decided, shall preclude all amendments to the main question.

36. A motion to lay any particular proposition on the table shall apply to that particular proposition only.

37. No motion or proposition, on a subject different from that under consideration, shall be admitted under color of an amendment.

38. Every motion shall be reduced to writing, if the Speaker or any member desires it.

39. When a motion is made, it shall be stated by the Speaker, or if it be in writing, it shall be read aloud by the Clerk before debate thereon.

40. After a motion is stated by the Speaker, or read by the Clerk, it shall be considered in possession of the House, but may be withdrawn at any time before decision or amendment, by leave of the House.

41. Any member may call for a division of the question, when divisible, but a motion to strike out and insert shall be indivisible.

42. Whenever any member is about to speak in debate, or deliver any matter to the House, he shall rise and respectfully address himself to "Mr. Speaker," and confine himself to the question under debate, and avoid personality; and no motion shall be considered in order unless made from the seat occupied by the member.

43. When two or more members arise at once, the Speaker shall name the member who is to speak first.

44. All questions except as provided in rules 45 and 51, whether in the Committee of the Whole or in the House, shall be disposed of in the order in which they are moved, except that in filling up blanks the largest sum and the most remote day shall be the first put.

45. The rules of the House shall be observed in all committees as far as may be applicable.

46. When the committee reports a substitute for an original bill, with the recommendation that the substitute pass, it shall be in order to read the substitute a first time at once and order it printed.

47. Petitions, memorials and other papers addressed to the House, may be presented by any member, who shall state briefly to the House the contents thereof, which may be received, read and referred on the same day.

48. No member shall speak longer than thirty minutes at one time, nor more than once on the same question, except by leave of the House; but the member who introduces a measure shall, in all cases, have the right to close the debate, and this right shall not be denied him even after the previous question has been ordered, although he may have spoken once on the same subject, provided the member so speaking shall not be allowed more time than is permitted by the rules of the House to other members.

49. While the Speaker is putting a question or addressing the House, or when a member is speaking, no person shall walk out of or across the room, or pass between the member speaking and the Chair, or entertain private discourse.

50. If any member, in speaking or otherwise, transgress the rules of the House, the Speaker shall, or any member may, call him to order.

51. When a question is under debate, no motion shall be received but—

To fix the time to which to adjourn.

To adjourn.

A call of the House.

To lay on the table.

The previous question.

To commit.

To amend.

To postpone to a day certain.

To postpone to a day indefinitely.

Which several motions shall have precedence in the order in which they are named; and no motion—

To postpone to a day certain.

To commit, or

To postpone indefinitely,

Being decided, shall be again allowed on the same day, or at the same stage of the bill or proposition.

52. The rules of parliamentary practice comprised in Cushing's Parliamentary Rules and Practice, shall govern the House in all cases in which they are applicable and in which they are not inconsistent with the standing rules and orders of the House, or the joint rules of the Senate and House of Representatives.

53. If a question be lost by adjournment of the House, and revived on the succeeding day, no member who has spoken on the preceding day shall be permitted to speak again on the same question without leave.

54. Any five members shall have the liberty to dissent from and protest, in respectful language, against any act or resolution which they shall think injurious to the public or any individual, and have the reasons of their dissent entered upon the Journal.

55. Questions shall be distinctly put in this form, viz.: "As many as are of the opinion that" (as the case may be) "say 'Aye,'" and, after the affirmative vote is expressed, "As many as are of the contrary opinion say 'No.'" If the Speaker doubt, or if a division is called for, the House shall divide; those in the affirmative shall first arise from their seats, and afterwards those in the negative.

#### COMMITTEE OF THE WHOLE HOUSE.

56. In forming a Committee of the Whole House, the Speaker shall leave his chair, and a chairman to preside in the committee shall be appointed by the Speaker.

#### ADJOURNMENT.

57. The hour at which every motion to adjourn is made shall be entered on the Journal.

Ten o'clock in the morning shall be the standing hour to which the House shall adjourn unless otherwise ordered by a majority vote.

58. A motion to adjourn shall be decided without debate and not be subject to amendment.

#### DISPENSING WITH, RESCINDING OR CHANGING RULES

59. No rule shall be dispensed with unless by the concurrence of two-thirds of the members present; nor shall any rule be rescinded or changed without one day's notice being given of the motion thereof; but a new rule, not in conflict with existing rules, may be added, after such notice, by a two-thirds vote of the members-elect, except when such new rule is reported by the Committee on Rules, and in that case such new rule may be adopted by a majority vote.

#### PREVIOUS QUESTION.

60. The previous question shall be put in this form: "Shall the main question be now put?" and until it is decided shall preclude all amendments

or debate. When it is decided that the main question shall not now be put, the main question shall be considered as still remaining under debate.

The effect of the main question's being ordered shall be to put an end to all debate, and bring the House to a direct vote, first, upon all amendments reported or pending in the inverse order in which they are offered. After the motion for the previous question has prevailed, it shall not be in order to move for a call of the House unless it shall appear by yeas and nays, as taken on the main question, that no quorum is present; or to move to adjourn prior to a decision of the main question: Provided, if a motion to postpone is pending the only effect of the previous question shall be to bring the House to a vote upon such motion.

61. All resolutions or petitions calling for the appointment of committees, or involving the expenditure of money, and all orders in reference to the appointed employes, or the increase of compensation of employes, of expenditure of moneys for incidental expenses of the session shall be referred to the appropriate committee without debate.

#### STANDING COMMITTEES OF THE HOUSE.

**Agriculture**—Messrs. Black, Chairman; Keck, Kirkpatrick, Robinson, Gillespie, Dudgeon, Clapsaddle, Musgrave, Hoge, Adkins, Baird, Hamilton, Pervier, Leamon, Link, Foster, Richardson, Staymates, Witt, Bolin, Finnan, Allison, Powers, Clark, Werdeil.

**Appropriations**—Messrs. Shanahan, Chairman; Oglesby, Lindly, Glade, Kerrick, Gaunt, Smejkal, Dudgeon, Kittleman, Coyle, Heintz, Keck, Zaabel, Rose, Harris, Zinger, Kirkpatrick, Castle, McMackin, King, Behrens, Sollitt, Campbell, Adkins, Hamilton, Lawrence, Fulton, Pervier, Parker, Lewis, Baird, York, Covey, Browne of LaSalle, Finnan, Riley, Hearn, Schaefer, McLaughlin, Staymates, Reed, Hurst, Smith, Gaumer.

**Banks and Banking**—Messrs. Pierson, Chairman; Austin, Coyle, Ireland, Province, Robinson, Erby, Heintz, McRoberts, Lawrence, Ton, Roos, Stevenson, Behrens, Bolin, Gibbons, Gehant, McNally, Donoghue, McLaughlin, Cermak, Walsh, Sullivan, McGoorty.

**Building and Loan and Homestead Associations**—Messrs. Beck, Chairman; ApMadoc, Covey, Smejkal, Krape, Kittleman, Durfee, Levere, Schumacher, Nelson, Lane, Troyer, Johnson, Golden, O'Brien, Poulton, Cermak, Califf, Bolin, Canaday, Young, Schermerhorn, Hruby.

**Canal, River Improvements and Commerce**—Messrs. Gillespie, Chairman; Ireland, Black, Dudgeon, Zinger, Harris, Montgomery, Reynolds, Liggett, Abbey, Parker, Lewis, Link, Navigato, Poulton, Riley, Allison, Gibbons, Russel, Sullivan, Wilson.

**Chicago Charter**—Messrs. Kittleman, Chairman; Hill, Church, Shanahan, Lindly, Erickson, Sheldon, Brady, Smejkal, Troyer, Glade, Province, Chipfield, Pierson, Pogue, Zaabel, Sollitt, ApMadoc, Hollenbeck, Mills, Reynolds, Fitch, Keeney, Behrens, Ton, Gibbons, McGoorty, Poulton, Donoghue, Eagan, McLaughlin, Pattison, Lantz, Walsh, Browne, Finnan, Luke, Hearn, Riley.

**Claims**—Messrs. Harris, Chairman; Hill, Erickson, Beck, Kowalski, Hope, Stevenson, Abbey, York, Smith, Staymates, Boulware, Beckemeyer, Blair, Werts, McKinley.

**Contingent Expense**—Messrs. Lindly, Chairman; Covey, Coyle, Mills, Tindall, McLaughlin, Donoghue, Egan, Finnan, Gaumer.

**County and Township Organization**—Messrs. Keck, Chairman; Montgomery, Pierson, Backus, Sheldon, Dysert, Lewis, Tindall, Adkins, Jewell, Martin, Hearn, Califf, Bolin, Read, Schaefer, Witt, McGuire, Gibbons.

**Corporations**—Messrs. Chipfield, Chairman; Shanahan, Gillespie, McNally, Kowalski, Glade, Hill, Covey, Troyer, Erby, Allen, Schumacher, Beck, Zinger, Ostrom, Keeney, Abbey, Curran, Hoge, Nelson, Castle, Fitch, McRoberts, Hope, Durfee, Landmesser, Murray, McGuire, O'Brien, Allison, McBride, Werdeil, Daugherty, Young, Abrahams, Navigato, Finnan, Werts, Russel.

**Drainage and Waterways**—Messrs. Smejkal, Chairman; Bush, Dudgeon, Ton, McRoberts, Fulton, Pervier, Keeney, Pierson, Jewell, Levere, ApMadoc, Parker, Flannigan, McNichols, Poulton, Riley, Donoghue, Link, Young, Boulware, Smith, Werdeil, Sullivan, Lantz.



Education—Messrs. Coyle, Chairman; Lindly, Gaunt, Austin, Covey, Sollitt, Hollenbeck, Mills, Reynolds, Hull, York, Adkins, Levere, Martin, Stevenson, Liggett, Golden, Califf, Young, Murray, Manny, Templeman, Canaday, Blair, Browne, Foster, Smith.

Elections—Messrs. McRoberts, Chairman; Ireland, Sheldon, Zinger, Coyle, Rose, Robinson, Harris, King, Roos, ApMadoc, Leamon, Musgrave, Castle, McMackin, Danaher, Gehant, Geshkewich, Read, Lantz, Hilton, Young, Wilson, Cermak, Templeman.

Enrolled and Engrossed Bills—Messrs. McNichols, Chairman; Bush, Schumacher, Baird, Campbell, Hearn, McKinley.

Executive Department—Messrs. Curran, Chairman; Hull, Backus, Montgomery, Lane, Lawrence, Krape, Gaumer, Johnson, Fieldstack, Murray, Canaday, Read, Staymates, Smith, Russel.

Farm Drainage—Messrs. Hollenbeck, Chairman; Ireland, Keck, Provine, Tindall, Martin, Jewell, Campbell, Leamon, Hoge, English, Schaefer, Witt, Bolin, Foster, Richardson, Read.

Federal Relations—Messrs. Flannigen, Chairman; Kerrick, Hamilton, Kowalski, Jewell, Krape, Lane, Adkins, O'Brien, Young, Werts, Clark, Walsh, Manny.

Fees and Salaries—Messrs. Reynolds, Chairman; Pierson, Church, Brady, Sollitt, Liggett, Hull, King, Black, Dysert, Landmesser, McKinley, Corcoran, Hilton, Templeman, Schermerhorn, Geshkewich.

Finance—Messrs. Keeney, Chairman; Austin, Kerrick, Backus, Ton, Fulton, Hamilton, Levere, Navigato, McBride, Read, Powers, Abrahams, Gehant.

Fish and Game—Messrs. Montgomery, Chairman; Gillespie, Oglesby, Ireland, Robinson, McRoberts, Jewell, Reynolds, Chipperfield, Adkins, Pervier, Ostrom, Hamilton, Musgrave, Curran, English, Foster, Haase, Richardson, Bolin, Canaday, Powers.

Good Roads—Messrs. McMackin, Chairman; Austin, Lindly, Kirkpatrick, Harris, Mills, Krape, Ton, Campbell, Tindall, Pervier, Hamilton, Baird, Lawrence, Link, Schaefer, Staymates, Read, Bolin, Canaday, Foster, Witt, Clark.

Horticulture—Messrs. Rose, Chairman; Gaunt, Coyle, Heini, Montgomery, Keck, Kirkpatrick, McMackin, Durfee, Stevenson, Castle, Gaumer, Golden, English, Foster, Richardson, Read, Staymates, Witt, Clark, Gibbons.

Insurance—Messrs. Gaunt, Chairman; Pogue, Troyer, Schumacher, McNichols, Coyle, Brady, Heini, Erby, Clapsaddle, Lane, Musgrave, Fitch, Reynolds, York, Keeney, Hull, Schermerhorn, Pattison, McKinley, Hurst, Allison, Russel, Abrahams, Hrubby, Wilson, Landmesser, Poulton.

Joint Rules—Messrs. King, Chairman; Roos, Hope, Daugherty.

Judiciary—Messrs. Sheldon, Chairman; Chipperfield, Church, Allen, Smejkal, Pierson, Provine, Lindly, Hill, Covey, Troyer, McRoberts, Reynolds, Hollenbeck, ApMadoc, Clapsaddle, Flannigen, Hull, Mills, Fitch, King, Roos, Dysert, Durfee, Hamilton, Keeney, Donoghue, McGoorty, Lantz, Poulton, Hrubby, Navigato, Geshkewich, Pattison, Boulware, Schaeffer, Manny, Wertz, Browne, Beckemeyer, Daugherty, Luke, Blair, English.

Judicial Department and Practice—Messrs. Provine, Chairman; Hill, Pierson, Troyer, Smejkal, Church, Reynolds, Chipperfield, ApMadoc, Clapsaddle, Fitch, McRoberts, Mills, Hollenbeck, Dysert, Durfee, McGoorty, Templeman, Lantz, Poulton, Manny, Werts, Schaefer, Blair, Navigato, Geshkewich, Hrubby.

Labor and Industrial Affairs—Messrs. Fieldstack, Chairman; Levere, Krape, Chipperfield, Curran, Lewis, Fulton, Parker, Stevenson, Hope, Landmesser, Link, McKinley, McGuire, McGoorty, Sullivan, Navigato.

Libraries—Messrs. Lawrence, Chairman; Bush, Kerrick, Rose, McNichols, Oglesby, Hope, Campbell, Liggett, Stevenson, Fieldstack, Johnson, Califf, Danaher, Young, Templeman, Smith, Gibbons, O'Brien, Sullivan, Walsh.

License—Messrs. Brady, Chairman; Backus, Kowalski, Glade, Pogue, Ostrom, Zinger, Erby, Zaabel, Church, Ton, Hoge, Black, Martin, Leamon, Curran, Browne, Clark, Gehant, Haase, McBride, Richardson, Geshkewich, McDonough, Werdell.

Live Stock and Dairying—Messrs. Backus, Chairman; Gillespie, Shanahan, Erickson, Dudgeon, Allen, Glade, Lawrence, Flannigen, Curran, Black, Roos, Danaher, Hilton, Russel, Werdell, Riley, Lantz, Powers, Luke, Haase.

Manufactures—Messrs. Glade, Chairman; Gillespie, Smejkal, McNichols, Ostrom, Allen, Castle, Nelson, Curran, Abbey, Egan, Danaher, Cermak, Luke, Russel, Wilson, McNally.

Military Affairs—Messrs. Kerrick, Chairman; Brady, Oglesby, Heinl, Zaabel, Kirkpatrick, Fulton, Campbell, Clapsaddle, Chipperfield, Hamilton, Golden, Landmesser, McBride, Templeman, Corcoran, Allison, Schermerhorn, Clark.

Mines and Mining—Messrs. Kirkpatrick, Chairman; Kerrick, Zinger, Heinl, Montgomery, Black, Behrens, Chipperfield, McMackin, Parker, Pervier, Dysert, Lewis, Leamon, Gaumer, Luke, Blair, McGuire, Werdell, Beckemeyer, English, Corcoran, Egan, Abrahams, Geshkewich.

Miscellaneous Subjects—Messrs. Allen, Chairman; Glade, Zaabel, Troyer, Erby, Musgrave, Castle, Clapsaddle, Hollenbeck, Hoge, Donoghue, Egan, Pattison, McLaughlin, Cermak, Haase.

Municipal Corporations—Messrs. Erickson, Chairman; Church, Lindly, Glade, Kowalski, Pogue, Harris, Smejkal, Zaabel, Bush, McNichols, Brady, Ostrom, Beck, Ton, King, McRoberts, Nelson, Flannigen, McMackin, Fieldstack, Behrens, Haase, McDonough, Egan, Werdell, Cermak, McLaughlin, Lantz, Gibbons, Browne, Clark, Powers, Daugherty, Sullivan.

Municipal Courts—Messrs. Church, Chairman; ApMadoc, Hill, Smejkal, Troyer, Pierson, Hull, Roos, Fitch, Mills, Donoghue, McGoorty, Poulton, Hraby, Navigato, Geshkewich, Murray.

Parks and Boulevards—Messrs. Troyer, Chairman; Austin, Erby, Kowalski, Beck, Smejkal, Ton, Hull, Keeney, Curran, Hope, Levere, Nelson, Johnson, Fieldstack, Cermak, Landmesser, Murray, McBride, McDonough, Poulton, Abrahams, Wilson, Walsh, O'Brien.

Penal and Reformatory Institutions—Messrs. Dudgeon, Chairman; Kerrick, Ireland, Zaabel, Coyle, Glade, Schumacher, Chipperfield, Dysert, Fulton, King, York, Behrens, Campbell, Parker, Browne, Daugherty, Hurst, Hearn, Wiley, McBride, McNally, Finnan.

Primary Elections—Messrs. Oglesby, Chairman; Kowalski, Provine, Covey, Ostrom, Dudgeon, Erby, Hill, Glade, Black, Sollitt, Ton, Hoge, Lane, Tindall, Nelson, Pervier, Baird, Pattison, Daugherty, Manny, McKinlay, McGoorty, Tead, Egan, Blair.

Printing—Messrs. Abbey, Chairman; Flannigen, Castle, Martin, Musgrave, Liggett, Leamon, Stevenson, Golden, Hilton, Murray, Young, O'Brien, McDonough, Beckemeyer.

Public Buildings and Grounds—Messrs. Kowalski, Chairman; Beck, Fulton, Adkins, Sollitt, Lane, Levere, Nelson, Oglesby, Gaumer, Califf, Corcoran, Powers, McGuire, Walsh, Haase.

Public Charities—Messrs. Heinl, Chairman; Backus, Rose, Harris, Kittleman, Oglesby, Hull, Martin, Lewis, Leamon, Musgrave, Witt, Hurst, Smith, Russel, Abrahams, Wilson.

Railroads—Messrs. Bush, Chairman; Lindly, Backus, Dudgeon, Church, Ostrom, Gaunt, Ireland, McNichols, Gillespie, Brady, Pogue, Oglesby, Hope, Jewell, Fieldstack, Clapsaddle, Roos, Baird, Browne, Luke, Corcoran, Sullivan, Egan, Schermerhorn, Wilson, McLaughlin, Geshkewich, Landmesser, Gibbons.

Retrenchments—Messrs. Clapsaddle, Chairman; Rose, Sheldon, Montgomery, Nelson, Stevenson, Leamon, Flannigen, Johnson, Danaher, McNally, Beckemeyer, Sullivan, Hraby, Hilton.

Revenue—Messrs. Hill, Chairman; Austin, Kittleman, Gaunt, Heinl, Keck, Sollitt, Krape, Black, Jewell, Lane, McMackin, Durfee, Liggett, Abbey, Hamilton, Hoge, Boulware, Link, McNally, Hurst, Hearn, English, Canaday, Werts, Templeman, O'Brien, McKinley.

Rights of the Minority—Messrs. Pattison, Chairman; English, Allison, Boulware, Blair, Corcoran, Danaher, Foster, Gehant, Hraby, Link, Manny, McBride, McGuire, O'Brien, Richardson, Russel, Staymates, Werts.

Roads and Bridges—Messrs. Durfee, Chairman; Montgomery, Heinl, Rose, Kirkpatrick, Robinson, Keck, Musgrave, Jewell, Tindall, Campbell, Lawrence, Lewis, Martin, Baird, Clark, English, Gehant, Hilton, Hurst, Witt, Canaday, Staymates, McGuire, McDonough.

Sanitary Affairs—Messrs. Erby, Chairman; Gillespie, Erickson, Kittleman, ApMadoc, Mills, Hope, Lane, Levere, Allison, Danaher, McNally, Staymates, Polin, Powers, Walsh, Abrahams.

State and County Fairs—Messrs. Robinson, Chairman; Lindly, Kirkpatrick, Hanger, Adkins, Baird, Lewis, Martin, Leamon, Liggett, Richardson, Witt, McLaughlin, Schermerhorn, McDonough, McBride, Werdell.

State and Municipal Civil Service—Messrs. Pogue, Chairman; Glade, McNichols, Bush, Gaunt, Kowalski, Smejkal, Schumacher, Brady, Beck, Zinger, Fieldstack, Black, Curran, Hoge, Blair, O'Brien, Hilton, McBride, Gibbons, Abrahams, Riley, Haase.

Judicial Apportionment—Messrs. Roos, Chairman; McNichols, Covey, Allen, Pogue, Oglesby, Harris, Sheldon, Provine, Gaunt, Gillespie, Coyle, Bush, Kirkpatrick, Reynolds, McRoberts, Clapsaddle, Chipfield, McMackin, Flannigan, York, Durfee, Beckemeyer, Boulware, Manny, Powers, Navigato, Luke, Hruby, Cermak.

State and Municipal Indebtedness—Messrs. Nelson, Chairman; Sheldon, Backus, Pierson, Harris, Lane, Mills, Hope, Adkins, Golden, McNally, Young, Haase, Gehant, Abrahams, Boulware, McDonough.

State Geological Survey—Messrs. Ton, Chairman; Church, Gaunt, Provine, ApMadoc, Abbey, York, Dysert, Golden, Beckemeyer, Califf, Foster, Schaefer, Templeman, Gehant.

State Institutions—Messrs. Dysert, Chairman; Harris, Zaabel, Rose, Hull, Lawrence, Sollitt, Krape, Pervier, Behrens, Stevens, Fieldstack, Gaumer, Daugherty, Link, Murray, Werts, Richardson, Templeman, Hurst, McGuire, Schaefer.

Statutory Revision—Fitch, Chairman; Hill, Sheldon, Provine, Church, Pierson, ApMadoc, Mills, Durfee, Gaumer, Schaefer, McGoorty, Boulware, Daugherty, Navigato, Luke.

Soldiers' and Sailors' Home and Soldiers' Orphans' Home—Messrs. Fulton, Chairman; Ireland, Robinson, Zinger, Kirkpatrick, Krape, Lawrence, Campbell, Califf, Finnan, Bolin, Allison, Hearn, Murray.

To Visit State Charitable Institutions—Messrs. Zinger, Chairman; Robinson, Sollitt, Keck, Abbey, Liggett, Beckmeyer, McGuire, Smith, Corcoran, McNally.

To Visit State Educational Institutions—Messrs. Zaabel, Chairman; Adkins, Tindall, Levere, Leamon, York, Califf, English, Manny, Richardson, McKinley.

To Visit Penal and Reformatory Institutions—Messrs. Ireland, Chairman; Troyer, Rose, Erby, Keeney, Behrens, Canaday, Clark, Finnan, Foster, Gehant.

Warehouses—Messrs. Covey, Chairman; Bush, Beck, Lindly, Keck, Erickson, Oglesby, Flannigan, Schumacher, Hollenbeck, King, Parker, Hilton, McDonough, Landmesser, Pattison, Donoghue, Corcoran, Walsh, Danaher.

Fraternal and Mutual Insurance—Messrs. Schumacher, Chairman; Kerrick, Coyle, Robinson, King, Reynolds, Krape, Durfee, Liggett, Califf, Canaday, Murray, Link, Witt, Schermerhorn.

#### HOUSE COMMITTEES, GROUPES AND ROOMS.

Agriculture, County and Township Organization, Elections, Fees and Salaries—Room 21, south wing, fourth floor.

Appropriations—Room 13, south wing, third floor.

Building, Loan and Homestead Association, Education, Parks and Boulevards—Room 25, south wing, fourth floor.

Canal, River Improvements and Commerce—Room 23, south wing, fourth floor.

Claims, Judicial Apportionment, Federal Relations—Room 11, east wing, fourth floor.

Contingent Expenses, Finance, Printing, Joint Committee on Engrossed and Enrolled Bills—Doorkeeper's Room.

Joint Rules, State and Municipal Civil Service Reform—Room 11, east wing, fourth floor.

Good Roads, Fish and Game—Room 25, south wing, fourth floor.

Enrolled and Engrossed Bills—Room 10, east wing, fourth floor.

Drainage and Waterways, Farm Drainage, Executive Department, Revenue, Horticulture—Room 24, south wing, fourth floor.

Judiciary, Miscellaneous Subjects—Room 6, west wing, third floor.

Public Buildings and Grounds, Judicial Department and Practice—Room 4, east wing, fourth floor.



Sanitary Affairs, Manufactures, Labor and Industrial Affairs, Fraternal and Mutual Insurance—Room 24, south wing, fourth floor.

Military Affairs, License, Primary Elections—Room 20, south wing, fourth floor.

History, Geology and Science, Libraries, Mines and Mining, Soldiers' and Sailors' Home, Soldiers' Orphans' Home—Room 26 south wing, fourth floor.

Public Charities, Railroads, Live Stock and Dairying—Room 4, east wing, third floor.

Roads and Bridges, Retrenchments, Warehouses—Room 20, south wing, fourth floor.

Municipal Corporations, State and Municipal Indebtedness, State Institutions—Room 22, south wing, fourth floor.

Penal and Reformatory Institutions, Statutory Revision—Room 19, south wing, fourth floor.

To Visit Charitable Institutions—Room 25 south wing, fourth floor.

Chicago Charter, Insurance, Municipal Courts—Room 1, east wing, third floor.

Banks and Banking, State and County Fairs—Room 19, south wing, fourth floor.

Corporations—Conference room of Appellate Court, second floor.

## LIST OF REPRESENTATIVES OF THE FORTY-FIFTH GENERAL ASSEMBLY.

DIST.	NAME.	DIST.	NAME.
33	Abbey, Frank E., Rep.	43	Daugherty, M. J., Dem.
17	Abrahams, Emanuel M., Dem.	2	Donoghue, F. E., Dem.
24	Adkins, Charles, Rep.	20	Dudgeon, Israel, Rep.
22	Allen, Chas. A., Rep.	51	Durfee, Charles, Rep.
20	Allison, J. W., Dem.	22	Dysert, Walter V., Rep.
5	ApMadoc, Wm. Tudor, Rep.	15	Egan, Dennis J., Dem.
23	Austin, Henry W., Rep.	51	English, Geo. W., Dem.
14	Backus, Chas. H., Rep.	31	Erby, Chas. E., Rep.
44	Baird, Porter, Rep.	21	Erickson, F. E., Rep.
23	Beck, Christopher, Rep.	25	Fieldstack, Chas. L., Rep.
42	Beckemeyer, H. J. C., Dem.	26	Finnan, Paul, Dem.
38	Behrens, William H., Rep.	13	Fitch, Edward C., Rep.
18	Black, Chas. F., Rep.	49	Flannigen, John L., Rep.
46	Blair, W. C., Dem.	30	Foster, A. M., Dem.
36	Bolin, Chas. E., Dem.	11	Fulton, Henry D., Rep.
18	Boulware, Jefferson R., Dem.	22	Gaumer, Clay F., Pro.
1	Brady, Francis P., Rep.	50	Gaunt, Chas. M., Rep.
39	Browne, Lee O'Neil, Dem.	35	Gehant, Henry F., Dem.
3	*Buettner, Daniel, Rep.	27	Geshkewich, Jos. S., Dem.
41	Bush, Guy L., Rep.	8	Gibbons, Dennis E., Dem.
32	Califf, John A., Dem.	12	Gillespie, Wm. W., Rep.
33	Campbell, Thomas, Rep.	27	Glade, Albert, Rep.
38	Canaday, Stephen D., Dem.	26	Golden, John R., Pro.
36	Castle, Chauncey H., Rep.	16	Haase, Christian, Dem.
9	Cermak, Anton J., Dem.	20	Hamilton, Geo. H., Rep.
43	Chiperfield, B. M., Rep.	32	Harris, John Edward, Rep.
11	Church, Chester W., Rep.	36	Hearn, Campbell S., Dem.
39	Clapsaddle, Al. A., Rep.	45	Heinl, Frank J., Rep.
40	Clark, Jos. S., Dem.	6	Hill, John W., Rep.
10	Corcoran, James H., Dem.	4	Hilton, Geo. C., Dem.
8	Covey, Frank R., Rep.	14	Hoge, Chas. C., Rep.
26	Coyle, Cassius M., Rep.	34	Hollenbeck, Wm. T., Rep.
15	Curran, Thomas, Rep.	29	Hope, Edward, Rep.
9	Danaher, Eugene J., Dem.	15	Hruby, John O., Jr., Dem.

\* Died January 16, 1907.

*List of Representatives—Concluded.*

DIST.	NAME.	DIST.	NAME.
5	Hull, Morton D., Rep.	3	Ostrom, William, Rep.
34	Hurst, Seymour, Dem.	41	Parker, Frank L., Rep.
16	Ireland, H. T., Rep.	12	Pattison, Douglas, Dem.
32	Jewell, Henry L., Rep.	37	Pervier, Clayton C., Rep.
14	Johnson, Nicholas L., Pro.	7	Pierson, Louis J., Rep.
49	Keck, Fred, Rep.	24	Pogue, John R., Rep.
25	Keeney, Alebrt F., Rep.	13	Poulton, John J., Dem.
16	Kerrick, Josiah, Rep.	50	Powers, Richard E., Dem.
43	King, Edw. J., Rep.	40	Provine, Walter M., Rep.
50	Kirkpatrick, R. D., Rep.	42	Read, John A., Dem.
19	Kittleman, Jas. M., Rep.	10	Reynolds, Earl D., Rep.
4	Kowalski, E. O., Rep.	40	Richardson, John C., Dem.
12	Krape, Wm. W., Rep.	41	Riley, Thos. H., Dem.
25	*Landmesser, Frank H., Dem.	28	Robinson, John R., Rep.
1	Lane, Alexander, Rep.	7	Roose, Fred'k B., Rep.
7	Lantz, Walter A., Dem.	48	Rose, Daniel E., Rep.
10	Lawrence, Johnson, Rep.	4	Russell, John C., Dem.
46	Leamon, Lester, Rep.	24	Schaefer, Peter P., Dem.
6	Levere, Wm. C., Rep.	45	Schermerhorn, Charles, Dem.
39	†Lewis, Wm. R., Rep.	19	Schumacher, Chas. A., Rep.
37	Liggett, F. J., Rep.	9	Shanahan, David E., Rep.
47	Lindly, Cicero J., Rep.	35	Sheldon, Harvey L., Rep.
47	Link, M. S., Dem.	8	Shurtleff, Edwd. D., Rep.
44	Luke, Chas. S., Dem.	17	Smejkel, Edw. J., Rep.
30	Manny, Walter I., Dem.	49	Smith, Geo. F., Dem.
34	Martin, John F., Rep.	3	Sollitt, Oliver, Rep.
45	McBride, Charles, Dem.	28	Staymates, B. F., Dem.
5	McGoorty, John P., Dem.	44	Stevenson, William, Rep.
37	McGuire, Wm. J., Dem.	29	Sullivan, P. J., Dem.
11	McKinlay, Robt. W., Dem.	46	Templeman, J. W., Dem.
19	McLaughlin, John J., Dem.	35	Tindall, Geo. M., Rep.
42	McMackin, Chas. L., Rep.	13	Ton, Cornelius J., Rep.
1	McNally, Thos. J., Jr., Dem.	21	Troyer, Wm. H., Rep.
2	McNichols, Frank J., Rep.	3	Walsh, John P., Dem.
18	McRoberts, Wm. G., Rep.	31	Werdell, John C., Dem.
31	Mills, Matthew, Rep.	33	Werts, Everett L., Dem.
47	Montgomery, Wm., Rep.	6	Wilson, Robt. E., Dem.
23	Murray, P. F., Dem.	38	Witt, Geo. W., Dem.
48	Musgrave, Chas. H., Rep.	51	York, Lewis E., Rep.
17	Navigato, William, Dem.	48	Young, E. M., Dem.
29	Nelson, Chas. A., Rep.	2	Zaabel, Paul I., Rep.
21	O'Brien, Thos. J., Dem.	30	Zinger, Louis, Rep.
28	Oglesby, John G., Rep.		

\* Seat contested by Samuel Robbins, Soc.

† Seat contested by Peter Reinhard, Dem.

## BILLS INTRODUCED.

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The following shows by number the bills introduced by each Representative:

Abbey.....	
Abraham.....	183, 519, 520, 573, 660.
Adkins.....	2, 184, 209, 210, 211, 661.
Allen.....	66, 67, 68, 90, 91, 108, 280, 347, 518, 564.
Allison.....	185, 626, 627, 734, 736, 737, 738, 739.
Ap Madoc.....	35, 36, 92, 128, 129, 130, 212, 377, 378, 383, 409, 410, 521, 662, 663, 664.
Austin.....	173, 522, 787, 788.
Backus.....	
Baird.....	281.
Beck.....	
Beckemeyer.....	458.
Behrens.....	174, 348, 412.
Black.....	
Blair.....	282, 666, 667, 740.
Bolin.....	413, 459, 515, 596.
Boulware.....	1, 109, 175, 414, 415, 460, 628, 629, 630, 665.
Brady.....	37, 213.
Browne.....	461, 631.
Buettner.....	
Bush.....	186, 620, 668, 777.
Califf.....	38, 94.
Campbell.....	110, 314, 315, 416, 632, 754, 755.
Canaday.....	142, 349, 462, 523, 749.
Castle.....	540.
Cermak.....	3, 310, 316, 317, 608, 741.
Chapinfield.....	4, 5, 6, 39, 40, 41, 69, 70, 71, 187, 188, 524, 563.
Church.....	143, 252, 318, 319, 380, 484, 485, 486, 487, 488, 556, 557, 748, 836, 851.
Clapsaddle.....	131, 144, 145, 250, 283, 623.
Clark.....	146, 214, 215, 216, 417, 418.
Corcoran.....	419, 633.
Covey.....	147, 320, 350, 565, 574, 669, 745, 746, 747, 848.



*Bills Introduced—Continued.*

Coyle.....	149, 172, 208, 217, 218, 219, 321, 351, 352, 601, 602, 670, 742, 743, 744
Curran.....	72, 671, 672
Danaher.....	312, 463, 634, 635, 636, 673, 674, 756
Daugherty.....	322, 323, 381, 405, 612
Donoghue.....	73, 251, 353, 421, 675
Dudgeon.....	
Durfee.....	93, 111, 112, 113, 384, 422, 423, 464
Dysert.....	7, 176, 750
Egan.....	8, 382, 424
English.....	425, 465, 525, 676, 677
Erby.....	189, 220, 385, 468, 526, 527, 678, 679, 813
Erickson.....	
Fieldstack.....	9, 42, 114, 313, 426, 528, 529, 530, 566, 576, 616, 680, 681, 769, 770
Finnan.....	324, 531, 637, 683, 772
Fitch.....	132, 148, 279, 427, 532, 533, 577, 613
Flannigen.....	221, 284, 354, 638, 621, 783
Foster.....	74, 682
Fulton.....	150, 466, 534, 781, 811
Gaumer.....	325, 428, 802, 803, 804
Gaunt.....	151, 190, 191, 253, 254, 780, 837
Gehant.....	23, 192, 386, 578
Geshkewich.....	535, 604, 685, 686
Gibbons.....	285, 326, 639, 640, 687
Gillespie.....	152, 429, 430, 467, 622, 688, 784, 785
Glade.....	
Golden.....	75, 133, 222, 387, 469
Haase.....	223, 255, 470, 689, 690
Hamilton.....	43, 286, 327
Harris.....	44, 45, 115, 256, 257, 431, 536
Hearn.....	10, 11, 12, 46, 47, 48, 134, 258, 432, 691
Heinl.....	98, 99, 207, 224, 225, 226, 227, 287, 288, 289, 290, 388, 389, 390, 433, 434, 579, 580
Hill.....	153, 154, 328, 435, 793, 822
Hilton.....	537, 538, 758
Hoge.....	
Hollenbeck.....	177, 193, 355, 436, 581, 641, 692, 773
Hope.....	178, 816, 817
Hruby.....	13, 14, 15, 329
Hull.....	642, 800, 801
Hurst.....	155, 156, 157, 471, 693
Ireland.....	100, 330, 567, 643
Jewell.....	158, 356

*Bills Introduced—Continued.*

Johnson.....	
Keck.....	
Keeney.....	194, 291, 790, 810
Kerrick.....	49, 259, 292, 293, 294, 694, 695, 812
King.....	16, 17, 472
Kirkpatrick.....	24, 473
Kittleman.....	357, 603, 604, 605, 606, 607, 609
Kowalski.....	358, 696
Krape.....	179, 195, 331, 474, 475, 476
Landmesser.....	295, 437, 438, 644, 645, 658, 753
Lane.....	228, 539, 697, 786
Lantz.....	50, 76, 77, 78, 116, 117, 229, 296, 391, 392, 439, 440, 441, 477, 478, 479, 763, 764, 765, 766, 767, 830, 850
Lawrence.....	118, 297, 359, 582, 771, 792, 833
Leamon.....	480, 481
Levere.....	18, 101, 159, 260, 541, 698, 797, 798, 799
Lewis.....	26, 119, 261, 646, 699
Liggett.....	27
Lindly.....	19, 28, 29, 30, 51, 79, 163, 264, 265, 332, 442, 443, 568, 778, 819, 860, 861
Link.....	262, 263, 482, 516, 659, 796
Luke.....	160, 266, 483, 700, 701
Manny.....	444, 445, 542, 789, 852
Martin.....	583
McBride.....	311, 333, 334, 335, 446, 489, 490, 491, 543, 544, 702, 703, 704, 774, 775, 776, 751, 752, 853
McDonough.....	
McGoorty.....	95, 96, 97, 120, 196, 298, 360, 610, 647, 648, 820, 847
McGuire.....	492
McKinlay.....	31, 32, 33, 161
McLaughlin.....	52, 162, 197, 198, 199, 230, 584, 585, 586, 618, 705
McMackin.....	
McNally.....	336, 337, 338, 361, 362, 447, 493, 545, 546, 706, 707, 757
McNichols.....	80, 81, 82, 102, 363, 448, 494, 708
McRoberts.....	53, 54, 121, 267, 268, 269, 299, 364, 709, 835
Mills.....	122, 135, 231, 232, 233, 339, 365, 649, 710
Montgomery.....	
Murray.....	270, 366, 367, 560, 615
Musgrave.....	234, 379, 393, 449, 450, 495
Navigato.....	103, 340, 587, 711, 712
Nelson.....	
O'Brien.....	
Oglesby.....	200, 235, 271, 451, 496, 497, 713, 831

*Bills Introduced—Continued.*

Parker .....	104, 164, 394, 498, 611, 714, 821.
Pattison.....	650, 759.
Pervier.....	123, 272, 395, 452.
Pierson.....	55, 236, 300, 368, 369, 370, 396, 397, 398, 453, 499, 569, 588, 617, 651, 838.
Pogue.....	20, 34, 201, 237, 238, 239, 301, 399.
Poulton.....	
Powers.....	500, 501, 502, 715, 716, 717.
Provine.....	124, 125, 136, 240, 241, 302, 303, 304, 341, 652, 619.
Read .....	
Reynolds.....	56, 57, 58, 126, 165, 202, 242, 305, 653, 782.
Richardson.....	718, 719, 720.
Riley .....	
Robinson.....	59, 503, 809.
Roos.....	85, 86, 400, 504, 589.
Rose .....	
Russell.....	505, 506, 547, 548.
Schaefer .....	127, 243, 244, 273, 274, 454, 507, 508, 614, 721, 722, 823.
Schermerhorn .....	137, 180, 181, 203, 204, 205, 275, 276, 277, 306, 342, 343, 371, 372, 455, 562, 723, 724, 760, 761, 762.
Schumacher.....	166, 167, 168, 779.
Shanahan.....	60, 61, 62, 138, 139, 140, 344, 373, 456, 457, 509, 549, 867, 876.
Sheldon.....	141, 374, 654.
Smejkal.....	245, 375, 510, 725.
Smith.....	21, 105, 345, 376, 590, 655, 656.
Sollitt.....	407, 408, 570, 591, 592, 593, 624, 625, 726, 727, 728, 794.
Staymates .....	729, 791.
Stevenson.....	246, 511, 571.
Sullivan.....	247, 768.
Templeman.....	63, 182.
Tindall.....	169, 170.
Ton.....	22, 64, 206, 346, 512, 513, 550, 561.
Troyer .....	87, 248, 551, 552, 553, 795.
Walsh .....	249, 278, 554, 730.
Werdell.....	307, 308, 731.
Werts .....	88, 514, 555.
Wilson.....	
Witt .....	
York .....	171, 732.
Young.....	89, 106, 309.
Zaabel.....	733, 808.
Zinger.....	65, 107, 594, 595.



*Bills Introduced—Concluded.*

Speaker (by request).....	401, 402, 403, 404, 572, 657.....
Committee on License.....	559.....
Committee on Judiciary.....	597, 735, 805, 839, 840, 841, 858, 862, 869.....
Committee on Railroads.....	406.....
Committee on Miscellaneous Subjects.....	558, 598, 845.....
Committee on Revenue.....	517.....
Committee on Roads and Bridges.....	575, 814, 815.....
Committee on Fish and Game.....	599, 834.....
Committee on Corporations.....	600, 825.....
Committee on Parks and Boulevards.....	806, 807, 818.....
Committee on Appropriations.....	824, 854, 855, 859, 868, 870, 872, 878.....
Committee on Banks and Banking.....	826.....
Committee on Insurance.....	827, 828, 829, 846, 865.....
Committee on Judicial Dept. and Practice.....	832, 875.....
Committee on Education.....	842, 843, 849, 856, 857.....
Committee on Manufactures.....	844.....
Committee on Municipal Corporations.....	863, 877.....
Committee on Farm Drainage.....	864, 866.....
Committee on Fees and Salaries.....	871.....
Committee on Mines and Mining.....	873.....
Committee on Chicago Charter.....	874.....

# HOUSE SYNOPSIS.

## FORTY-FIFTH GENERAL ASSEMBLY.

### HOUSE BILLS.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
1	Jan. 15	Bulware.....	An Act to amend an Act entitled, "An Act to allow a per diem fee to clerks of the Circuit and Probate Courts in counties of the first and second class, approved June 7, 1895, in force July 1, 1895 (approved May 10, 1901, in force July 1, 1901)".....	A law.....
2	Jan. 15	Adkins.....	An Act regulating the handling of freight in car load lots by railroad companies, shippers and consignees, and imposing car service charges and penalties for the use and detention of cars, and failure to furnish cars and transport the same .....	Tabled .....
3	Jan. 15	Cermack .....	An Act to provide for and fix the compensation of members of the General Assembly of the State of Illinois .....	In bonds of Lieutenant Governor .....
4	Jan. 15	Chiperfield....	An Act to establish a surgical institute for children and making an appropriation therefor.....	Vetoed .....
5	Jan. 15	Chiperfield....	An Act to amend sections 3, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15 and 16 of an Act entitled, "An Act to regulate the employment of convicts and prisoners in the penal and reformatory institutions of the State of Illinois, and providing for the disposition of the products of their skill and industry," approved May 11, 1903, in force July 1, 1903, as amended by an Act approved May 18, 1905, in force July 1, 1905....	Tabled .....
6	Jan. 15	Chiperfield....	An Act to prevent improper treatment of prisoners or persons suspected of crime by police and other officers or persons, for the purpose of attempting to obtain confessions or admissions, and to provide a penalty therefor.....	Tabled in Senate....

## House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
7	Jan. 15	Dysert.....	An Act to amend an Act entitled, "An Act to revise the laws in relation to coal mines and subjects relating thereto, and providing for the health and safety of persons employed therein".....	Tabled .....
8	Jan. 15	Egan.....	An Act to provide for party nominations by direct vote.....	Tabled .....
9	Jan. 15	Fieldstack ....	An Act entitled, "An Act regulating voluntary associations and corporations not for pecuniary profit"....	Tabled .....
10	Jan. 15	Hearn.....	An Act making an appropriation for constructing and erecting a monument in Riverview Park, at Quincy, Illinois, to the memory of George Rogers Clark.....	A law.....
11	Jan. 15	Hearn.....	An Act to amend section 1 of an Act entitled, "An Act to prevent extortion and unjust discrimination in the rates charged for the transportation of passengers and freight on railroads in this State, and to punish the same, and prescribe a mode of procedure and rules of evidence in relation thereto, and to repeal an Act entitled, 'An Act to prevent unjust discrimination and extortion in the rates to be charged by the different railroads in this State for the transportation of freights on said roads,' approved April 7, A. D. 1871 (approved May 2, 1873), in force July 1, 1873".....	Tabled .....
12	Jan. 15	Hearn.....	An Act to regulate sleeping car companies and to provide penalties for violations of such regulations....	Tabled .....
13	Jan. 15	Hruby.....	An Act entitled, "An Act to amend section 246 of the Criminal Code, relating to the definition and punishment of the crime of robbery"....	Tabled .....
14	Jan. 15	Hruby.....	An Act entitled, "An Act to repeal sections 259, 260, 261 and 262 of the Criminal Code".....	Tabled .....
15	Jan. 15	Hruby.....	An Act entitled, "An Act to create a special Railway Commission to investigate the cause of railway accidents and disasters, and to appropriate an amount not exceeding \$3,000.00 to defray the expenses thereof" .....	Tabled .....
16	Jan. 15	King .....	For an Act relating to the liability of employers to their employés for personal injuries.....	Tabled in Senate.....



## House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
17	Jan. 15	King .....	For an Act to amend an Act entitled, "An Act to provide for the incorporation of cities and villages," approved April 10, 1872, in force July 1, 1872.....	Tabled April 24.....
18	Jan. 15	Levere .....	An Act to amend an Act entitled, "An Act to revise the law in relation to criminal jurisprudence, approved March 27, 1874, in force July 1, 1874, and all Acts amendatory thereto, by adding thereto the following, to be known as section 2½, of division 1".....	Tabled .....
19	Jan. 15	Lindly.....	For an Act to provide for the establishing and use of a uniform series of school text books in the free public schools of the State.....	Tabled .....
20	Jan. 15	Pogue.....	For an Act to regulate the setting aside of judgments or granting of new trials on appeal to the Supreme and Appellate Courts in this State .....	Tabled April 17.....
21	Jan. 15	Smith.....	For an Act to protect the public health by prohibiting the collection of second-hand bottles or jars, or the sale of goods in second-hand bottles or jars, and providing the punishment for the violation of the same.....	Tabled .....
22	Jan. 15	Ton.....	For an Act to amend section 142 of an Act entitled, "An Act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, and in force July 1, 1874	Tabled .....
23	Jan. 16	Gehant.....	For an Act to amend section one (1) of an Act entitled, "An Act to provide for the erection, maintenance and operation of pumping plants in certain drainage and levee districts, and to legalize and validate former proceedings, bond issues, indebtedness and expenditures in regard to, on account of, or with a view to erection, maintenance and operation of such pumping plants," passed, approved and in force May 13, 1905; amending said section 1 to read as follows.....	A law.....
24	Jan. 16	Kirkpatrick...	For an Act to create two additional terms of the Circuit Court in the county of Franklin, and to fix the time of holding the same.....	A law.....
25	Jan. 16	Lewis.....	For an Act entitled, "An Act to amend section 1 of an Act entitled, 'An Act for the protection of game, wild fowl and birds, and to repeal certain Acts relating thereto,' approved April 28, 1903, in force July 1, 1903, as amended by an Act approved May 18, 1905, in force July 1, 1905.....	Tabled .....

*House Synopsis—Continued.*

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
26	Jan. 16	Liggett.....	For an Act to amend an Act to review the law in relation to change of venue, approved March 25, 1874, in force July 1, 1874....	Tabled .....
27	Jan. 16	Liggett.....	For an Act to amend section seventeen (17) of division thirteen (13) of chapter thirty-eight (38) of "An Act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874 .....	Tabled .....
28	Jan. 16	Lindly.....	For an Act for the relief of Albert W. Leidel.....	Tabled in Senate.....
29	Jan. 16	Lindly.....	For an Act to extend the jurisdiction of Probate Courts and county courts having probate jurisdiction, so as to include the complete administration of testate estates....	Tabled .....
30	Jan. 16	Lindly.....	For an Act to authorize county judges to perform the duties of judges of other courts.....	Tabled .....
31	Jan. 16	McKinlay.....	For an Act to amend section one (1) of "An Act to provide for and fix the compensation of members of the General Assembly of the State of Illinois," which became a law June 26, 1895, in force July 1, 1895 .....	Tabled .....
32	Jan. 16	McKinlay.....	For an Act to prohibit any person, association, copartnership or corporation from offering, granting or promising any public official free transportation of person or property, or free transmission or communication of messages, and to prohibit any public official from accepting or asking for the same, and to provide penalties for violations hereof.....	Tabled .....
33	Jan. 16	McKinlay.....	For an Act establishing a maximum rate of charges for the transportation of passengers on the railroads doing business in the State of Illinois and a penalty for the violation thereof.....	Tabled .....
34	Jan. 15	Pogue.....	For an Act to aid in the prevention of disease.....	Tabled .....
35	Jan. 16	Ap Madoc ....	For an Act to amend the title of an Act relating to the punishment of crimes against children, approved May 11, 1905.....	Tabled .....
36	Jan. 22	Ap Madoc ....	For an Act to define and punish crimes against children.....	Tabled March 15 .....

## House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
37.	Jan. 22	Brady.....	For an Act permitting all ex-Union, Spanish-American War, Philippine Insurrection and Boxer Uprising in China, soldiers and sailors, honorably discharged from the military or marine service of the United States, the right to vend, hawk and peddle goods, wares, fruits or merchandise not prohibited by law in any county, town, village, incorporated city or municipality in the State of Illinois...	Tabled .....
38.	Jan. 22	Califf.....	For an Act to provide free high school privileges for graduates of the eighth grade in certain districts .....	Tabled April 19.....
39.	Jan. 22	Chiperfield....	An Act to amend section 3 of "An Act to establish and maintain a Soldiers' and Sailors' Home in the State of Illinois, and making an appropriation for the purchase of land and the construction of the necessary buildings," approved June 26, 1885, in force July 1, 1885, as amended by an Act approved April 22, 1899, in force July 1, 1899.....	Tabled .....
40.	Jan. 22	Chperfield....	An Act to amend section one (1) of an Act entitled, "An Act to provide for annexing and excluding territory to and from cities, towns and villages," approved April 10, 1872, in force July 1, 1872, as amended by an Act approved May 10, 1901, in force July 1, 1901.....	Vetoed .....
41.	Jan. 22	Chiperfield....	An Act entitled, "An Act defining and declaring the rights of the public in navigable lakes and streams, meandered in survey by and under the authority of the United States of America.....	Tabled in Senate....
42.	Jan. 22	Fieldstack ....	An Act amending section 2, chapter 51, in regard to evidence and depositions in civil cases, approved March 29, 1872, and in force July 1, 1872.....	Tabled .....
43.	Jan. 22	Hamilton .....	An Act in regard to negotiable instruments .....	Tabled April 9.....
44.	Jan. 22	Harris .....	An Act to amend section 3 of an Act entitled, "An Act to indemnify the owners of sheep in case of damages committed by dogs," approved May 29, 1879, in force July 1, 1879, as amended by Act approved and in force May 30, 1881, as amended by Act approved April 21, 1899, and in force July 1, 1899...	Tabled .....



## House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
45 Jan. 22		Harris .....	An Act to establish a reasonable rate of fare for the transportation of passengers on all railroads doing business in this State of Illinois.	Tabled .....
46 Jan. 22		Hearn .....	An Act to amend section 17 of an Act entitled, "An Act to revise the law in relation to promissory notes, bonds, due bills, and other instruments in writing," approved March 18, 1874, in force July 1, 1874, as amended by an Act approved June 4, 1895, in force July 1, 1895, and by an Act in force July 1, 1905.	Tabled .....
47 Jan. 22		Hearn .....	An Act to amend section 7a of an Act entitled, "An Act to provide for the punishment of persons, co-partnerships or corporations, forming pools, trusts and combines, and mode of procedure, and rules of evidence in such cases," approved June 11, 1891, and in force July 1, 1891, as amended by Act approved June 20, 1893, and in force July 1, 1893 .....	A law .....
48 Jan. 22		Hearn .....	An Act defining and regulating express companies operating within the State of Illinois, declaring them to be common carriers and placing them under the jurisdiction and control of the Illinois Railroad and Warehouse Commission, and other purposes .....	Tabled .....
49 Jan. 22		Kerrick .....	An Act to extend the jurisdiction of probate courts and county courts having a probate jurisdiction, so as to include the complete administration of testate estates .....	Tabled .....
50 Jan. 22		Lantz .....	An Act entitled, "An Act to amend section sixty of an Act in regard to the administration of estates," approved April 1, 1872, in force July 1, 1872 .....	Tabled May 2 .....
51 Jan. 22		Lindly .....	An Act to provide for the burial of deceased, indigent or friendless sailors or marines of the War of the Rebellion, the Spanish-American War, the Philippine Insurrection and the Boxer uprising in China .....	A law .....
52 Jan. 22		McLaughlin ..	For an Act entitled, "An Act to authorize city judges, county judges, superior judges and circuit judges to interchange, hold court for each other, and perform each other's duties" .....	Tabled April 18 .....

## House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
53	Jan. 22	McRoberts....	For an Act to amend section six (6) of an Act entitled, "An Act to regulate the treatment and control of dependent, neglected and delinquent children," approved April 21, 1899, in force July 1, 1899, and as amended by an Act approved May 13, 1905, in force July 1, 1905...	A law.....
54	Jan. 22	McRoberts....	For an Act to amend section two (2) of an Act entitled "An Act for the relief of the blind," approved May 11, 1903, in force July 1, 1903	Tabled .....
55	Jan. 22	Pierson .....	An Act to amend section two hundred and thirty-seven (237) of division one (1) of an Act entitled "An Act to revise the law in relation to criminal jurisprudence," approved May 27, 1874, as amended by an Act entitled, "An Act to amend section two hundred and thirty-seven (237) of division one (1) of an Act entitled, "An Act to revise the law in relation to criminal jurisprudence, approved March 27, 1874, in force July 1, 1874," amended by Act approved June 9, 1887, in force July 1, 1887, approved April 7, 1905, in force July 1, 1905"	Tabled .....
56	Jan. 22	Reynolds.....	For an Act to amend section 3 of an Act entitled, "An Act concerning fees and salaries, and to classify the several counties of this State with reference thereto," approved March 29, 1872, in force July 1, 1872; title as amended by an Act approved March 28, 1874, in force July 1, 1874.....	A law.....
57	Jan. 22	Reynolds.....	An Act to amend section 2 of an Act entitled, "An Act in regard to wills," approved March 20, 1872, in force July 1, 1872.....	Tabled .....
58	Jan. 22	Reynolds.....	For an Act to confer upon cities of more than thirty thousand inhabitants and less than one hundred thousand inhabitants, in the State of Illinois, the power and authority to sell surplus electricity and to fix the rates and charges for the supplying of gas and electricity for power, heating and lighting, furnished by an individual, company or corporation to such cities and inhabitants thereof.....	Tabled April 24....

*House Synopsis—Continued.*

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
59	Jan. 22	Robinson .....	For an Act to authorize trustees of schools in any township in the several counties under township organization to contract for proper drainage of such school lands with the commissioners of any drainage district through which any such school lands may drain, and to use the income of such lands for such purpose, and for more thoroughly draining any such school lands .....	Tabled .....
60	Jan. 22	Shanahan .....	For an Act to provide for the ordinary and contingent expenses of the Illinois National Guard and Illinois Naval Reserve .....	Vetoed in part .....
61	Jan. 22	Shanahan .....	For an Act to provide for the burial of deceased, indigent or friendless Union soldiers, sailors or marines of the late Civil War, or their mothers, wives or widows .....	Tabled April 4 .....
62	Jan. 22	Shanahan .....	For an Act to amend section 2 of an Act to revise the law in relation to mortgages of real and personal property, approved and in force March 26, 1874, as amended by Act approved May 30, 1881, in force July 1, 1881 .....	Tabled .....
63	Jan. 22	Templeman .....	For an Act entitled, "An Act to amend section one hundred and ten of an Act to extend the jurisdiction of county courts, and to provide for the practice thereof, to fix the time for holding the same, and to repeal an Act therein named, approved March 26, 1874, in force July 1, 1874" .....	Tabled April 13 .....
64	Jan. 22	Ton .....	For an Act relating to private employment agencies and to repeal parts of a certain Act relating thereto .....	Tabled March 1 .....
65	Jan. 22	Zinger .....	For an Act to provide for liens by persons erecting monuments, grave-stones, inclosure or other structures in cemetery or burial grounds, and providing for the manner of enforcing such liens .....	Vetoed .....
66	Jan. 23	Allen .....	For an Act to regulate the practice of osteopathy in the State of Illinois, to provide for a board of osteopathic examination and registration, and to provide penalties for the violations of the provisions of this Act .....	Tabled .....



## House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
67	Jan. 23	Allen.....	For an Act to amend section two hundred and seventy-six (276) of an Act entitled, "An Act for the assessment of property and for the levy and collection of taxes," approved March 30, 1872, and in force July 1, 1872.....	Tabled .....
68	Jan. 23	Allen.....	For an Act to amend section twenty-four (24) of an Act entitled, "An Act to revise the law in relation to counties," approved and in force March 31, 1874.....	Tabled .....
69	Jan. 23	Chiperfield....	For an Act to amend section 1 of an Act entitled, "An Act to revise the law in relation to the sentence and commitment of persons convicted of crime, and providing for a system of parole, and to provide compensation for the officers of said system of parole," approved April 21, 1899, in force July 1, 1899, as amended by an Act approved May 10, 1901, in force July 1, 1901.....	Tabled April 10.....
70	Jan. 23	Chiperfield....	For an Act concerning appeals by the people in criminal cases, and relating to the practice thereto....	Tabled .....
71	Jan. 23	Chiperfield....	For an Act to amend section 11 of division 13 of an Act entitled, "An Act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874.....	Tabled .....
72	Jan. 23	Curran .....	For an Act to regulate and define the liability of any corporation, corporations, firm, firms, company, companies, for pecuniary damages to their employes, and to person or persons, and to their personal representatives in case of personal injury or death sustained while in their employ.....	Tabled .....
73	Jan. 23	Donoghue.....	For an Act to provide for equal taxation of all lands in the State of Illinois .....	Tabled .....
74	Jan. 23	Foster.....	For an Act to provide the maximum passenger rate which may be charged by railroads within this State, and providing a penalty for violations thereof.....	Tabled .....

## House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
75	Jan. 23	Golden .....	For an Act to amend an Act entitled, "An Act to revise and amend an Act and certain sections thereof entitled, 'An Act to provide for the construction, reparation and protection of drains, ditches and levees across the lands of others for agricultural, sanitary and mining purposes, and to provide for the organization of drainage districts,'" approved and in force May 29, 1879; as amended by certain Acts herein entitled and to repeal certain laws therein named, approved June 30, 1885, and in force July 1, 1885, by adding thereto a section to be known as section 27½ of said Act, providing for the levy and collection of an annual tax or assessment against the lands within any drainage district organized or operating under this Act, for the purpose of keeping the ditches and drains of such districts in repair, and to pay the incidental costs and expenses connected therewith as applicable to drainage districts independent of levees, and to provide for the manner of collecting the same....	Tabled .....
76	Jan. 23	Lantz.....	For an Act amending sections 6 and 7a of an Act entitled, "An Act to provide for the punishment of persons, copartnerships or corporations forming pools, trusts and combines, and mode of procedure and rules of evidence in such cases," approved June 11, 1891, in force July 1, 1891, and as amended by an Act approved June 20, 1893, in force July 1, 1893.....	Tabled .....
77	Jan. 23	Lantz.....	For an Act to amend sections 5 and 6 of an Act entitled, "An Act in regard to Attorneys General and States' attorneys," approved March 26, 1874, and enforced July 1, 1874 .....	Tabled .....
78	Jan. 23	Lantz.....	For an Act to amend section eight (8) of an Act entitled, "An Act to enable any city, town or village in this State to change its name," approved March 7, 1872, in force July 1, 1872.....	A law.....
79	Jan. 23	Lindly .....	For an Act entitled, "An Act to promote the safety and health of employes and passengers upon street railroads".....	Tabled .....
80	Jan. 23	McNichols ....	For an Act to provide for the compilation, editing, publication and distribution of a commemorative and historical volume to be entitled, "Illinois at Vicksburg," and making appropriations therefor...	A law.....

## House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
81	Jan. 23	McNichols ....	For an Act to provide for the appointment of an Inspector of Illinois Monuments, and to prescribe his duties, and to provide for the correction of errors or omissions in the inscriptions upon or within such monuments, and making appropriations therefor.....	Tabled .....
82	Jan. 23	McRoberts....	For an Act to amend section 1 of an Act entitled, "An Act for the protection of bank depositors," approved May 13, 1903, in force July 1, 1903.....	Tabled .....
	Jan. 23	Reynolds.....	For an Act to make it unlawful for any person to wear the badge or emblems of the United Spanish Veterans' Association, or to use the same to obtain aid or assistance thereby from any person, and to provide a penalty for the violation thereof.....	Tabled .....
84	Jan. 23	Roos.....	For an Act to amend sections 10, 15 and 18 of chapter 31, entitled, "An Act to revise the law in relation to coroners," approved Feb. 6, 1874, in force July 1, 1874, as amended by Act approved May 31, 1879, in force July 1, 1879.....	Tabled .....
5	Jan. 23	Roos.....	For an Act to amend an Act entitled, "An Act providing for the regulation of the embalming and disposal of dead bodies, for a system of examination, registration and licensing of embalmers, and imposing penalties for the violation of any of its provisions," approved May 13, 1905, in force July 1, 1905, by adding an additional section thereto, numbered section 9, as follows.....	Tabled .....
86	Jan. 23	Rose .....	For an Act to amend section one (1) of an Act entitled, "An Act compelling railroad companies in this State to build and maintain depots for the comfort of passengers and for the protection of shippers of freight at towns and villages on the line of their roads," approved May 23, 1877.....	Tabled .....
87	Jan. 23	Troyer .....	For an Act for the protection of trainmen and to regulate the stringing of wires, electric or other, over railroad tracks, and relative to the maintenance of such wires heretofore so strung.....	Tabled .....



## House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
88	Jan. 23	Werts.....	For an Act to amend section 15a of an Act to provide for drainage for agricultural and sanitary purposes, approved June 27, 1885, in force July 1, 1885.....	Tabled .....
89	Jan. 23	Young .....	For an Act to provide for the licensing of saloons, dramshops and beer depots .....	Tabled .....
90	Jan. 24	Allen.....	For an Act granting women the right to vote for presidential electors and certain other officers, and to participate and vote in certain matters and elections.....	Tabled April 11.....
91	Jan. 24	Allen.....	For an Act meaking the stealing of all kinds of poultry a penitentiary offense .....	Tabled in Senate.....
92	Jan. 24	Ap Madoc.....	For an Act to amend section eleven (11) of division thirteen (13) of an Act entitled, "An Act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874....	Tabled .....
93	Jan. 24	Durfee .....	For an Act to amend section 18 of an Act entitled, "An Act concerning fees and salaries, and to classify the several counties of this State with reference thereto, approved March 29, 1872, in force July 1, 1872," title as amended by Act approved March 28, 1874, in force July 1, 1874.....	Tabled April 17.....
94	Jan. 24	Califf.....	For an Act to amend sections three and four of an Act entitled "An Act to protect persons and property from danger from steam engines on public highways," approved June 26, 1885, in force July 1, 1885 .....	Tabled March 21.....
95	Jan. 24	McGoorty.....	For an Act concerning the manner of commencing and conducting the prosecution of criminal offenses..	Tabled .....
96	Jan. 24	McGoorty.....	For an Act to provide against the evils resulting from the traffic in certain narcotic drugs, and to regulate the sale thereof.....	Tabled Feb. 28.....
97	Jan. 24	McGoorty.....	For an Act entitled, "An Act to amend sections 5 and 6 of division 15 of an Act entitled, 'An Act to revise the law in relation to criminal jurisprudence,' approved March 27, 1874, in force July 1, 1874" .....	A law.....

## House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
98	Jan. 24	Heinl.....	For an Act providing for the appointment of a State Inspector of Apiaries, and prescribing his powers and duties.....	Tabled April 26.....
99	Jan. 24	Heinl.....	For an Act making an appropriation for the Illinois State Bee Keepers' Association .....	A law.....
100	Jan. 24	Ireland.....	For an Act to amend section seven (7) of an Act entitled, "An Act concerning fees and salaries, and to classify the several counties of this State with reference thereto," in force July 1, 1872; title as amended by Act approved March 28, 1874, in force July 1, 1874....	Tabled .....
101	Jan. 24	Levere.....	For an Act to further provide against the evils resulting from the traffic in intoxicating liquors by providing for local option in residence districts of municipal corporations....	Tabled .....
102	Jan. 24	McNichols....	For an Act providing for the safety of passengers at elevated railroad stations .....	Tabled .....
103	Jan. 24	Navigato.....	For an Act to amend section nine of an Act entitled, "An Act relating to employment offices and agencies," approved and in force May 11, 1903.....	Tabled .....
104	Jan. 24	Parker.....	For an Act to amend section thirty-nine of an Act entitled, "An Act to revise the law in relation to the partition of real estate," approved Feb. 9, 1874, in force July 1, 1874.....	Tabled .....
105	Jan. 24	Smith.....	For an Act to make an appropriation for the relief of Edward A. Laxton, injured by an accident at the Southern Illinois Penitentiary, resulting in an injury to him, while in the performance of his duties, under the direction of an officer of the institution.....	Tabled .....
106	Jan. 24	Young.....	To prevent the manufacture and sale of cigarettes.....	Tabled .....
107	Jan. 24	Zinger.....	For an Act to amend section seventy-six of "An Act to provide for the organization of road districts, the election and duties of officers therein, and in regard to roads and bridges in counties not under township organization, and to repeal an Act and parts of Acts therein named," approved May 4, 1887, and in force July 1, 1887, as amended by Act approved June 5, 1889, and in force July 1, 1889....	A law.....

*House Synopsis—Concluded.*

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
108	Jan. 29	Allen.....	An Act to commemorate the heroism, valor and patriotic services of the Illinois Volunteer Soldiers in the army of the Union in the War of the Rebellion, who died in Andersonville prison (officially designated Camp Sumpter), in the county of Sumpter, in the state of Georgia, while confined there as prisoners of war, by the erection of a suitable memorial or monument, either in the National Cemetery or on the site of the prison stockade at that place; creating a commission for such purpose and appropriating a sufficient sum of money therefor.....	A law.....
109	Jan. 29	Boulware.....	An Act to amend section thirty (30) of "An Act for the assessment of property and providing the means therefor," and to repeal a certain Act therein named, approved Feb. 25, 1898, in force July 1, 1898, as amended by Act approved and in force May 11, 1901.....	A law.....
110	Jan. 29	Campbell.....	An Act to amend sections four and five of an Act entitled, "An Act to authorize county boards in counties under township organization to organize certain territory situated therein as a town," approved May 23, 1877, in force July 1, 1877, as amended by Act approved June 18, 1883, in force July 1, 1883.....	Tabled April 4.....
111	Jan. 29	Durfee.....	An Act for the relief of the flood sufferers along the Ohio and Wabash rivers.....	Tabled .....
112	Jan. 29	Durfee.....	An Act to amend section 102 of an Act entitled, "An Act in regard to the administration of estates," approved April 1, 1872, in force July 1, 1872.....	A law.....
113	Jan. 29	Durfee.....	An Act to limit the doctrine of fellow servants for personal injuries or death by wrongful acts.....	Tabled .....
114	Jan. 29	Fieldstack.....	An Act prohibiting the use of firearms by minors under sixteen (16) years of age and forbidding the issuing of license to such minors..	Tabled .....
115	Jan. 29	Harris.....	An Act to provide for the payment of bounties for killing crows.....	A law.....
116	Jan. 29	Lantz.....	An Act to establish a uniform system of public accounting, auditing and reporting, under the administration of Auditor of Public Accounts....	Tabled .....

## House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
117	Jan. 29	Lantz .....	An Act providing for the selection of candidates for office by popular vote at primary elections, to be voted for at the regular elections following such primary elections..	Tabled .....
118	Jan. 29	Lawrence .....	An Act prohibiting the sale, distribution or gift of intoxicating liquors, near any army post or near any national home for disabled volunteer soldiers.....	Tabled .....
119	Jan. 29	Lewis .....	An Act to amend sections one (1), and three (3) of an Act entitled, "An Act to authorize the construction and maintenance of gravel, rock, macadam or other hard roads," approved June 18, 1883, in force July 1, 1883.....	Tabled April 19.....
120	Jan. 29	McGorty .....	An Act to provide for party nominations of candidates for public office in cities, villages and incorporated towns by direct vote....	Tabled .....
121	Jan. 29	McRoberts....	An Act entitled, "An Act requiring school districts acting under special charter to hold elections for the election of school directors, members of boards of education, and members of boards of school inspectors, at the time provided for the election of school directors under the general school law of the State.....	Tabled .....
122	Jan. 29	Mills .....	An Act to amend an Act entitled, "An Act in regard to evidence depositions in civil cases," approved March 29, 1872, in force July 1, 1872, being chapter 51 of the Revised Statutes of 1874".....	Tabled .....
123	Jan. 29	Pervier.....	An Act to appropriate an additional sum of twenty-five thousand dollars for the participation of the State of Illinois in the Jamestown Ter-Centennial Exposition, to be held on Hampton Roads in the state of Virginia, during the year 1907, in commemoration of the first permanent settlement of English speaking people in America..	Tabled April 5.....
124	Jan. 29	Provine.....	An Act to amend an Act entitled, "An Act to regulate the reporting of the decisions of the Supreme Court of this State, to fix the compensation of the reporter, to fix the price of said reports, to provide for the purchase of certain copies thereof by the State, and for their distribution," approved May 17, 1877, in force July 1, 1877, by striking out section 1, and inserting the following sections.....	Tabled in Senate.....



## House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
25	Jan. 29	Provine.....	An Act to provide for and regulate the publication and distribution of the decisions of the Appellate Court of this State, to provide for a reporter thereof and to fix his compensation .....	Tabled in Senate.....
26	Jan. 29	Reynolds.....	An Act to provide for and regulate the publication and distribution of the decisions of the Supreme and Appellate Courts of this State.....	Tabled .....
27	Jan. 29	Schaefer .....	An Act to amend section twenty-five (25) of an Act entitled, "An Act in relation to fencing and operating railroads," approved March 31, 1874, in force July 1, 1874.....	Tabled .....
28	Jan. 30	ApMadoc.....	An Act to amend sections 65 and 67 of an Act entitled, "An Act concerning local improvements," approved June 14, 1897, in force July 1, 1897, as amended by an Act in force May 9, 1901.....	Tabled April 18.....
29	Jan. 30	ApMadoc.....	An Act to amend sections 114, 116, 178 and 279 of an Act entitled, "An Act for the assessment of property and for the levy and collection of taxes," approved March 30, 1872, in force July 1, 1872, and all subsequent amendments thereto	Tabled in Senate.....
30	Jan. 30	ApMadoc.....	An Act to amend section 52 of an Act entitled, "An Act for the assessment of property and providing the means therefor, and to repeal a certain Act therein named," approved Feb. 25, 1898, in force July 1, 1898.....	A law.....
31	Jan. 30	Clapsaddle.....	An Act to amend section 95 of an Act entitled, "An Act in regard to administration of estates," approved April 1, 1872, in force July 1, 1872, as amended by an Act approved June 18, 1891, in force July 1, 1891.....	Tabled.....
32	Jan. 30	Fitch.....	An Act to provide for the release of one or more of several joint judgment debtors without releasing all.	Vetoed .....
33	Jan. 30	Golden.....	An Act to define and punish the crime of rape.....	Tabled Feb. 28.....
34	Jan. 30	Hearn.....	An Act to amend sections 34, 38, 41 and 50 of an Act entitled, "An Act for the assessment of property and providing the means therefor, and to repeal a certain Act therein named," approved Feb. 25, 1898, in force July 1, 1898...	A law.....

## House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
135	Jan. 30	Mills .....	An Act to amend division 13 of an Act entitled, "An Act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, and being chapter 38 of the Revised Statutes of 1874, by adding certain sections .....	Tabled .....
136	Jan. 30	Provine .....	An Act to amend section three (3) of an Act entitled, "An Act concerning corporations with banking powers," approved June 16, 1887, adopted by the people at an election held Nov. 6, 1888, and proclaimed in force by the Governor Dec. 6, 1888, as amended by an Act entitled, "An Act to amend sections one (1), six (6) and eleven (11) of an Act entitled, "An Act concerning corporations with banking powers," approved June 16, 1887, and approved June 3, 1889, adopted by the people at an election held Nov. 4, 1890, and proclaimed in force by the Governor Nov. 29, 1890, as amended by an Act entitled, "An Act to amend section ten (10) of an Act entitled, "An Act concerning corporations with banking powers," approved June 4, 1897, adopted by the people at an election held Nov. 8, 1898, and proclaimed in force by the Governor Nov. 28, 1898....	Tabled March 21.....
137	Jan. 30	Schermerhorn	An Act regulating the manufacture and sale of patent or proprietary drugs and medicines .....	Tabled .....
138	Jan. 30	Shanahan.... (by request)	An Act making an appropriation for the ordinary and other expenses of the State charitable institutions herein named .....	Tabled .....
139	Jan. 30	Shanahan.... (by request)	An Act making appropriations for the State charitable institutions herein named .....	Tabled .....
140	Jan. 30	Shanahan.... (by request)	An Act making appropriations for the Illinois State Colony for Epileptics .....	Tabled .....
141	Jan. 30	Sheldon .....	An Act to provide for the creation by popular vote of anti-saloon territory, within which the sale of intoxicating liquors and the licensing of such sale shall be prohibited, and for the abolition by like means of territory so created .....	Tabled .....
142	Jan. 31	Canady .....	"An Act to amend section thirty-three (33) of an Act entitled 'An Act to revise the law in relation to coal mines and subjects relating thereto, and providing for the health and safety of persons employed therein,' approved April 18, 1899, in force July 1, 1899. Be amended so as to read as follows".	A law.....

## House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
143	Jan. 31	Church.....	"An Act to authorize county boards to let portions of county buildings to the State or to any city, town, village or any other municipal corporation" .....	Tabled .....
144	Jan. 31	Clapsaddle....	"An Act entitled 'An Act to regulate the business of fire, and inland navigation and tornado insurance, by association, partnerships, firms and individuals' .....	Tabled April 26.....
145	Jan. 31	Clapsaddle....	"An Act entitled 'An Act to amend section one of an Act entitled 'An Act for the protection of game, wild fowl and birds, and to repeal certain Acts relating thereto,' approved April 28, 1903, in force July 1, 1903, as amended by an Act approved May 18, 1905, in force July 1, 1905' .....	Tabled .....
146	Jan. 31	Clark.....	"An Act making it a felony to carry concealed weapons" .....	Tabled .....
147	Jan. 31	Covey.....	"An Act to confer upon cities of more than five thousand inhabitants in the State of Illinois the power and authority to sell surplus electricity and to fix the rates and charges for the supplying of gas and electricity and hot water or steam for power, heating and lighting furnished by an individual company or corporation to such cities and inhabitants thereof"...	Tabled April 24.....
148	Jan. 31	Fitch.....	"An Act relating to the transaction of the business of life insurance in the State of Illinois, and regulating the conditions and provisions to be contained in policies of life insurance companies, organized under the laws of this State or doing business herein".....	Tabled .....
149	Jan. 31	Coyle.....	"An Act to make an appropriation for a manual arts building and auditorium at the Illinois State Normal University" .....	Tabled May 2.....
150	Jan. 31	Fulton.....	"An Act to amend an Act entitled 'An Act to establish and maintain a Soldiers' and Sailors' Home in the State of Illinois, and making an appropriation for the purchase of land and the construction of the necessary buildings,' approved June 26, 1885, in force July 1, 1885, as amended by an Act approved May 13, 1903, in force July 1, 1903" .....	Tabled .....

## House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
151	Jan. 31	Gaunt.....	"An Act creating the office of State Fire Marshal, prescribing his duties and providing for his compensation and for the maintenance of his office" .....	Tabled .....
152	Jan. 31	Gillespie. ....	"An Act to provide for interchangeable telephone service and toll therefor; and to provide punishment for violations of the provisions hereof" .....	Tabled .....
153	Jan. 31	Hill .....	"An Act to amend section 62 of an Act entitled 'An Act to revise the law in relation to counties,' approved and in force March 31, 1874, and all Acts amendatory thereto" .....	Tabled Feb. 28.....
154	Jan. 31	Hill .....	"An Act to amend sections 51 and 52 of an Act entitled 'An Act concerning fees and salaries and to classify the several counties of this State with reference thereto,' approved March 28, 1872, in force July 1, 1872; title as amended by Act approved March 28, 1874, in force July 1, 1874, and all Acts amendatory thereto" .....	Tabled .....
155	Jan. 31	Hurst.....	"An Act to reduce the amount of assessment for taxation of real estate indebtedness not to exceed \$700, provided that no reduction shall be allowed greater than one-half of such assessed valuation of said real estate" .....	Tabled .....
156	Jan. 31	Hurst.....	"An Act entitled 'An Act to amend section two as amended by Act of May 18, 1905, of an Act entitled 'An Act for the assessment of property and for the levy and collection of taxes,' approved March 30, 1872, and in force July 1, 1872" .....	Tabled .....
157	Jan. 31	Hurst.....	"An Act to list real estate mortgages, conveyances or other instruments or writings constituting a lien or other security, for any note or other evidence of indebtedness, for taxation" .....	Tabled .....
158	Jan. 31	Jewell.....	"An Act to provide for a minimum rate of speed for the transportation of live stock on railroads operating or doing business in this State and to provide penalties for violations thereof" .....	Tabled .....
159	Jan. 31	Levere.....	"An Act to provide for the issuing of warrants to search for and seize liquors unlawfully kept for sale, and conferring powers for dispositions of same" .....	Tabled .....



## House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
160	Jan. 31	Luke.....	"An Act to regulate the keeping, storing and maintaining of coal oil, gasoline, benzine, kerosene or any other combustible fluid within one-half mile of the limits of any incorporated city or village" .....	Tabled .....
161	Jan. 31	McKinley .....	"An Act regulating life insurance companies and prohibiting the diversion of funds for political purposes" .....	Tabled .....
162	Jan. 31	McLaughlin..	"An Act regulating the locating, constructing, operating and maintaining of public places of amusement" .....	Tabled .....
163	Jan. 31	Lindly.....	"An Act to prevent fraud in the sale of dairy products, their imitation substitutes, to prohibit and prevent the manufacture or sale of unhealthful, adulterated or misbranded food, liquors or dairy products, to provide for the appointment of a State Food Commissioner and his assistants, to define their powers and duties and to repeal all Acts relating to the production, manufacture and sale of dairy and food products and liquors in conflict herewith" .....	Tabled April 10.....
164	Jan. 31	Parker .....	"An Act to amend an Act entitled 'An Act to authorize the construction and maintenance of gravel rock, macadam or other hard roads,' approved June 18, 1883, in force July 1, 1883, by inserting a new section to read as follows" ..	A law.....
165	Jan. 31	Reynolds.....	"An Act to amend an Act entitled 'An Act for the protection of game, wild fowl, and birds, and to repeal certain Acts relating thereto,' approved April 28, 1903, in force July 1, 1903, by adding thereto a section to be known as section 25 1/4" .....	Tabled .....
166	Jan. 31	Scumacher....	"An Act to amend an Act entitled 'An Act for the organization and management of fraternal beneficiary societies, for the purpose of furnishing life indemnity or pecuniary benefits to beneficiaries of deceased members or accident or permanent indemnity disability to members thereof; and to control such societies of this State and of other States doing business in this State, and providing and fixing the punishment for violation of the provisions thereof, and to repeal all laws now existing which conflict herewith.' Approved and in force June 22, 1893, as amended by June 21, 1895 in force July 1, 1895, and as amended May 11, 1901; in force July 1, 1901." .....	Tabled .....

## House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
167	Jan. 31	Schumacher..	"An Act to amend an Act entitled 'An Act to provide for the organization and management of fraternal beneficiary societies for the purpose of furnishing life indemnity or pecuniary benefits to beneficiaries of deceased members or accident or permanent indemnity disability to members thereof; and to control such societies of this State and of other States doing business in this State, and providing and fixing the punishment for violation of the provisions thereof,' and to repeal all laws now existing which conflict herewith; approved and in force June 22, 1893, by adding a section to be known as section 4a.".....	A law.....
168	Jan. 31	Schumacher..	"An Act to regulate the consolidation or re-insurance of fraternal beneficiary societies" .....	Tabled April 3.....
169	Jan. 31	Tindall.....	"An Act making appropriations for the ordinary expenses of the Northern Illinois State Normal School, DeKalb" .....	Tabled May 2.....
170	Jan. 31	Tindall.....	"An Act making appropriations for the Illinois State Normal School, DeKalb." .....	Tabled May 2.....
171	Jan. 31	York.....	"An Act relating to the salaries of officers and agents of life insurance companies." .....	Tabled April 26.....
172	Jan. 31	Coyle.....	"An Act to make an appropriation for ordinary and other expenses of the Illinois State Normal University." .....	Tabled May 2.....
173	Feb. 5	Austin.....	"An Act to regulate the civil service of counties." .....	Tabled .....
174	Feb. 5	Behrens.....	"An Act to amend an Act entitled 'An Act to prevent extortion and unjust discrimination in the rates charged for the transportation of passengers and freights on railroads in this State, and to punish the same, and prescribe a mode of procedure and rules of evidence in relation thereto, and to repeal an Act entitled 'An Act to prevent unjust discriminations and extortions in the rates to be charged by the different roads in this State for the transportation of freight on said railroads,' approved April 7, A. D. 1871, approved May 2, 1873, in force July 1, 1873, by amending section two of said Act and adding a new section thereto and amending the title of said Act.'".....	Tabled .....

## House Synopsis—Continued.

When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
75 Feb. 5	Boulware .....	An Act to amend sections four and five of an Act entitled, "An Act to authorize county boards in counties under township organization to organize certain territory situated therein as a town," approved May 23, 1877, in force July 1, 1877, and as amended by Act approved June 18, 1883, in force July 1, 1883.....	A law.....
76 Feb. 5	Dysert .....	"An Act relating to the liability of employers to their employes."....	Tabled.....
77 Feb. 5	Hollenbeck....	"An Act to amend sections 30 and 31 of an Act entitled 'An Act in regard to roads and bridges in counties under township organization, and to repeal an Act and parts of Acts therein named,' approved June 23, 1883, in force July 1, 1883, as amended by Act approved June 30, 1885, in force July 1, 1885, as amended by Act approved June 17, 1887, in force July 1, 1887, as amended by Act approved June 1, 1889, in force July 1, 1889, as amended by Act approved June 3, 1889, in force July 1, 1889, as amended by Act approved June 16, 1891, in force July 1, 1891, as amended by Act approved June 17, 1891, in force July 1, 1891, as amended by Act approved June 21, 1895, in force July 1, 1895, as amended by Act approved April 12, 1899, in force July 1, 1899, as amended by Act approved April 24, 1899, in force July 1, 1899, as amended by Act approved May 10, 1901, in force July 1, 1901, as amended by Act approved May 11, 1901, in force July 1, 1901, as amended by Act approved May 14, 1903, in force July 1, 1903, as amended by Act approved May 15, 1903, in force July 1, 1903, as amended by Act approved May 13, 1905 in force July 1, 1905, as amended by Act approved May 16, 1905, in force July 1, 1905."....	A law.....
78 Feb. 5	Hope.....	"An Act to prevent the manufacture or sale of adulterated or misbranded food and drugs." .....	Tabled.....
79 Feb. 5	Krape.....	"An Act to amend section 33 of an Act entitled 'An Act in regard to elections, and to provide for filling vacancies in elective offices,' approved April 3, 1892, in force July 1, 1872, as amended by an Act proved April 3, 1872, in force July force July 1, 1885, as amended by an Act approved June 3, 1897, and in force July 1, 1897, as amended by an Act approved May 15, 1903, in force July 1, 1903, and as amended by an Act approved May 18, 1905, in force July 1, 1905.".....	Tabled April 11.....

## House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
180	Feb. 5	Schermerhorn	"An Act to amend section twenty-six (26) of an Act entitled, 'An Act to organize and regulate the business of life insurance,' approved March 25, 1869, in force July 1, 1869." .....	Tabled April 26.....
181	Feb. 5	Schermerhorn	"An Act to regulate the issuance of certificates of membership by fraternal beneficiary societies." .....	Tabled .....
182	Feb. 5	Templeman...	"An Act to fix the minimum salary for public school teachers in the State." .....	Tabled .....
183	Feb. 6	Abrahams ....	"An Act to regulate the practice of barbering in the State of Illinois, to establish a State Board of Barber Examiners, and to provide for the sanitary inspection of barber shops." .....	Tabled in Senate.....
184	Feb. 6	Adkins.....	"An Act to amend section 1 of an Act entitled 'An Act in relation to the control of public graveyards,' approved May 29, 1879, in force July 1, 1879." .....	A law.....
185	Feb. 6	Allison.....	"An Act providing for the protection of the people of the State of Illinois against injuries from or by automobiles, locomobiles, autocars and auto trucks, and providing for punishment of violations of this Act." .....	Tabled .....
186	Feb. 6	Bush.....	"An Act to amend an Act entitled 'An Act to amend section 202, article 8, of an Act entitled 'An Act to establish and maintain a system of free schools,' approved May 1, 1889, and as the same is amended by an Act approved Feb. 24, 1898.'" .....	A law.....
187	Feb. 6	Chiperfield....	"An Act to amend sections 16, 19 and 28 of an Act entitled 'An Act to revise the law in relation to coal-mines and subjects relating thereto, and provide for the health and safety of persons employed therein,' approved April 18, 1899, in force July 1, 1899." .....	Tabled April 29.....
188	Feb. 6	Chiperfield....	"An Act to require life insurance companies incorporated under the laws of the State of Illinois to file in the Insurance Department of the State of Illinois, a list of all policy holders of such company or companies." .....	Tabled .....



## House Synopsis—Continued.

When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
Feb. 6	Erby .....	"An Act to amend section 3 of an Act entitled, 'An Act to provide for the setting apart, formation and disbursement, of a police pension fund in cities, villages and incorporated towns,' approved April 29, 1887, in force July 1, 1887 as amended by an Act approved April 24, 1899, in force July 1, 1899; as amended by an Act approved May 11, 1901, in force July 1, 1901; as amended by an Act approved and in force May 16, 1903." .....	A law .....
Feb. 6	Gaunt .....	"An Act to provide a method whereby assessment life insurance companies may be reincorporated as legal reserve life insurance companies." .....	Tabled .....
Feb. 6	Gaunt .....	"An Act providing for and regulating the election of directors of mutual life insurance companies." .....	Tabled .....
Feb. 6	Gehant .....	"An Act to amend section 5 of an Act providing for the licensing of and against the evils arising from the sale of intoxicating liquors." .....	Tabled .....
Feb. 6	Hollenback... (by request)	"An Act to amend section 1 of an Act entitled 'An Act to regulate and prescribe the conditions for the granting of rights and privileges for lighting and heating purposes by cities, villages and incorporated towns, and providing a remedy for the property owner where such conditions have not been complied with,' approved June 15, 1897, in force July 4, 1897." .....	Tabled April 24 .....
Feb. 6	Keeney .....	"An Act to prevent the insuring of children under the age of 10 years." .....	Tabled April 11 .....
Feb. 6	Krape .....	"An Act to provide for the adoption and use of a uniform series of school text books in the free public schools of the State." .....	Tabled .....
Feb. 6	McGoorty .....	"An Act regulating and fixing the maximum hours of a day's work of conductors and motormen of street railways." .....	Tabled in Senate .....
Feb.	McLaughlin...	"An Act entitled an Act to require preliminary examinations before indictment by grand jury." .....	Tabled .....
Feb. 6	McLaughlin...	"An Act relating to the construction and operating of railroads." .....	Tabled .....
Feb. 6	McLaughlin...	"An Act to promote the safety of railroad employes, by regulating the maintaining and stringing of electric or other wires over railroad tracks." .....	Tabled .....

## House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
200 Feb.		Oglesby.....	"An Act relating to the sale of old, worn or discarded furniture or furnishings belonging to the State of Illinois, of which the Secretary of State has the care, custody and control, and creating a commission for such sale and prescribing its powers and duties." .....	Tabled in Senate.....
201 Feb. 6		Pogue.....	"An Act to repeal an Act entitled 'An Act to create the Court of Claims and to prescribe its powers and duties,' approved May 16, 1903, in force July 1, 1903." .....	Tabled April 19.....
202 Feb. 6		Reynolds.....	"An Act in regard to decrees of foreclosure of mortgages and deeds of trust, and making redemption therefrom." .....	Tabled .....
203 Feb. 6		Schermerhorn	"An Act to amend an Act entitled 'An Act to correct certain abuses and prevent unjust discriminations of and by life insurance companies doing business in this State, between insurants of the same class and equal expectation of life, in the rates, amounts, or payment of premiums, in the return of premiums, dividends, rebates or other benefits, approved June 19, 1891, in force July 1, 1891.'" .....	Tabled .....
204 Feb. 6		Schermerhorn	"An Act to regulate the investments of the funds and the real estate holdings of life insurance companies." .....	Tabled April 26.....
205 Feb. 6		Schermerhorn	"An Act to amend section 2 of an Act entitled 'An Act to provide for the deposit of reserve and the registration of policies and annuity bonds by life insurance companies of this State,' approved April 18, 1899, in force July 1, 1899." .....	A law.....
206 Feb. 6		Ton.....	"An Act to annex that part of the township of Calumet lying within the limits of the city of Chicago to the South Park District and to give the Board of South Park Commissioners power to acquire and maintain a natural park in said annexed territory." .....	Tabled .....
207 Feb. 6		Heinl.....	"An Act to create the Illinois Department of Libraries, to promote the establishment and efficiency of free public libraries and to provide for the establishment, care and maintenance of free traveling libraries." .....	Tabled .....

## House Synopsis—Continued.

o.	When introduced.	By whom introduced.	Abstract of Title of bill.	Disposition.
08	Feb. 7	Coyle.....	<p>"An Act making it unlawful for any steam railway or interurban railway doing business within the State, or any officer, agent or representative thereof, to issue, give or offer to any city, county, district, State or Federal officer, including judges and members of the General Assembly, or to any delegate to a political convention to use in attending such convention or return therefrom, or to any member of any political committee or employe thereof, or to any candidate for a city, county, district, State or Federal office, or to jurors in State or Federal courts, any free pass, ticket or other privilege at rates less than charged the public. And prohibiting any city, county, district, State or Federal officer, and any delegate to a county, district or State political convention, and any candidate for a county, district, State or Federal office, and any member of any political committee or any employe thereof, and any juror in State or Federal courts, to request or use any such free pass, ticket or privilege, sold or conferred at a less rate than a rate charged the public over any steam railroad or in interurban railroad and providing a penalty therefor." .....</p>	Tabled .....
09	Feb. 7	Adkins.....	<p>"An Act to amend section 12 of an Act concerning jurors, and to repeal certain Acts therein named, approved and in force Feb. 11, 1874 as amended by subsequent Acts." .....</p>	Tabled April 17.....
10	Feb. 7	Adkins.....	<p>"An Act making appropriations for the erection of buildings for the University of Illinois." .....</p>	Tabled .....
11	Feb. 7	Atkins.....	<p>"An Act making appropriations for the University of Illinois." ....</p>	Tabled .....
12	Feb. 7	Ap Madoc.....	<p>"An Act to amend section 17 of an Act entitled 'An Act to revise the law in relation to promissory notes, bonds, due bills and other instruments in writing,' approved March 18, 1874, in force July 1, 1874, as amended by an Act approved June 4, 1895, in force July 1, 1895, as amended by an Act in force July 1, 1905." .....</p>	Tabled in Senate.....
13	Feb. 7	Brady.....	<p>"An Act to pay Henry F. Stow and Martha J. Stow \$5,000.00, on account of the death of their son, George C. Stow, by drowning in the bathing pool at Camp Lincoln, while in the discharge of his duty as a private in Company K, First Regiment Infantry, Illinois National Guard, when in act of service." .....</p>	Tabled .....

## House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition
214	Feb. 7	Clark.....	"An Act to amend section 40 of an Act entitled 'An Act concerning fees and salaries, and to classify the several counties of this State with reference thereto,' approved March 29, 1872, in force July 1, 1872, as amended by Act approved May 2, 1873, in force July 1, 1873; title as amended by Act approved March 28, 1874, in force July 1, 1874." .....	Tabled in Senate.....
215	Feb. 7	Clark.....	"An Act to amend section 1 of article 11 of an Act entitled 'An Act to revise the law in relation to justices of the peace and constables,' approved June 26, 1895, in force July 1, 1895." .....	Tabled .....
216	Feb. 7	Clark.....	"An Act amending an Act entitled 'An Act to revise the law in relation to criminal jurisprudence,' approved March 27, 1874, in force July 1, 1874." .....	Tabled .....
217	Feb. 7	Coyle.....	"An Act making an appropriation for extending the tunnel, power, heat, light and sewerage at the Soldiers' and Sailors' Home at Quincy, to connect with the cottages to be built on said grounds by any county wishing to build said cottages"....	Tabled .....
218	Feb. 7	Coyle.....	"An Act to amend section 5 of an Act entitled 'An Act to regulate the State charitable institutions and the State reform school, and to improve their organization and increase their efficiency,' approved April 15, 1875, in force July 1, 1875, as amended by an Act approved May 28, 1897, in force July 1, 1897, approved April 3, 1899, in force July 1, 1899." .....	Tabled May 3.....
219	Feb. 7	Coyle.....	"An Act to amend section 2 of an Act entitled 'An Act to provide for the establishment of an insurance department and the appointment of an insurance superintendent,' approved June 20, 1893, in force July 1, 1893." .....	Tabled .....
220	Feb. 7	Erby.....	"An Act to amend section 14 of an Act entitled 'An Act to organize and regulate the business of life insurance,' approved March 26, 1869, in force July 1, 1869." .....	A law.....



## House Synopsis—Continued.

When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
Feb. 7	Flannigen.....	"An Act to amend section 15 of an Act entitled 'An Act to provide for the drainage for agricultural and sanitary purposes, and to repeal certain Acts therein named,' approved June 27, 1885, in force July 1, 1885, as amended by Act approved June 21, 1895, in force July 1, 1895." .....	A law.....
Feb. 7	Golden.....	"An Act to promote bible reading in public schools." .....	Tabled .....
Feb. 7	Haase.....	"An Act entitled An Act providing for the investigation of insect injury to the corn crops in this State and making an appropriation therefor." .....	Tabled April 19.....
Feb. 7	Heinl.....	"An Act to amend section 49 of 'An Act to provide for the organization of road districts, the election and duties of officers therein and in regard to roads and bridges in counties not under township organization and to repeal an Act and parts of Acts therein named,' approved May 4, 1887, in force July 1, 1887." .....	A law.....
Feb. 7	Heinl.....	"An Act making appropriations for procuring documents, papers, materials and publications relating to the Northwest and the State of Illinois." .....	A law.....
Feb. 7	Heinl.....	"An Act to amend an Act entitled 'An Act to provide for the better preservation of official documents and records of historical interest,' approved June 9, 1897, in force July 1, 1897." .....	A law.....
Feb. 7	Heinl.....	"An Act to provide for the promotion of historical research in the several counties of the State".....	A law.....
Feb. 7	Lane.....	"An Act making it unlawful to make or keep any picture of prisoners who have not been convicted of a criminal offense, without their consent." .....	Tabled in Senate.....
Feb. 7	Lantz.....	"An Act to amend section five (5) of an Act entitled, 'An Act to regulate the manufacture, transportation, use and sale of explosives, and to punish an improper use of the same,' approved June 16, 1887, in force July 1, 1887." .....	Tabled .....

## House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
230	Feb. 7	McLaughlin...	"An Act providing for the licensing, regulation and inspection of cold storage warehouses, and regulating the sale of articles of food stuffs stored therein." .....	Tabled .....
231	Feb. 7	Mills .....	"An Act to amend an Act entitled 'An Act concerning fees and salaries, and to classify the several counties of this State with reference thereto,' approved March 29, 1872, in force July 1, 1872; title as amended by Act approved March 28, 1874, in force July 1, 1874, by adding thereto section 9a." .....	A law .....
232	Feb. 7	Mills .....	"An Act providing for the payment by the county of Cook of further compensation to the State's attorney of said county." .....	A law .....
233	Feb. 7	Mills .....	"An Act to amend section 1 of article XIV of an Act entitled 'An Act to establish and maintain a system of free schools,' approved and in force May 21, 1889, and all Acts amendatory thereto." .....	Tabled .....
234	Feb. 7	Musgrave .....	"An Act to amend section 10 of an Act entitled 'An Act to organize and regulate the business of life insurance,' approved March 26, 1869, in force July 1, 1869." .....	A law .....
235	Feb. 7	Oglesby .....	"An Act to amend section twenty-six of an Act to provide for the election and appointment of the officers and employes of the General Assembly of the State and to fix their compensation,' approved May 28, 1877, in force July 1, 1877." .....	Tabled .....
236	Feb. 7	Pierson .....	"An Act to amend sections four (4) six (6) and seventeen (17), of an Act entitled 'An Act to revise the law in relation to mechanics' liens,' approved May 18, 1903, in force July 1, 1903." .....	Tabled April 10. ....
237	Feb. 7	Pogue. ....	"An Act concerning civil service commissions of counties." .....	Tabled .....
238	Feb. 7	Pogue. ....	"An Act concerning civil service commissions of cities." .....	Tabled .....
239	Feb. 7	Pogue. ....	"An Act to amend sections 4, 8, 9, 10, 12, 18, 19 and 35 of an Act entitled 'An Act to regulate the civil service of the State of Illinois,' approved May 11, 1905, in force July 1, 1905." .....	Tabled .....

## House Synopsis—Continued.

When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
Feb. 7	Provine .....	"An Act to amend section five (5) of an Act entitled 'An Act to diminish the number of the judicial divisions of the Supreme Court, to change the time and places of holding said court, and to regulate the practice in said court,' approved April 2, 1897, in force July 1, 1897.".....	A law.....
Feb. 7	Provine .....	"An Act in relation to practice and procedure in courts of record."....	A law.....
Feb. 7	Reynolds.....	"An Act to regulate the sale of Paris green." .....	Tabled .....
Feb. 7	Schaefer .....	"An Act appropriating to the University of Illinois the money granted in an Act of Congress approved August 30, 1890, entitled 'An Act to apply a portion of the proceeds of the public lands to the more perfect endowment and support of the colleges for the benefit of agriculture and mechanic arts,' established under the provisions of an Act of Congress, approved July 2, 1862.".....	Tabled .....
Feb. 7	Schaefer .....	"An Act authorizing the University of Illinois to acquire the necessary building for the housing of its medical department." .....	Tabled .....
Feb. 7	Smejkal.....	"An Act to amend sections four (4), eight (8), nine (9), eleven (11), twelve (12) and nineteen (19), of 'An Act to create sanitary districts and remove obstructions in the DesPlaines and Illinois rivers,' approved May 29, 1889, in force July 1, 1889, as amended by an Act approved May 13, 1897, in force July 1, 1897, as amended by an Act approved May 10, 1901, in force July 1, 1901, as amended by an Act approved May 11, 1905, in force July 1, 1905, and adding section nineteen a (19a) thereto" .....	A law.....
Feb. 7	Stevenson ....	"An Act making appropriation for the ordinary expenses of the Southern Illinois Normal University".....	Tabled May 2.....
Feb. 7	Sullivan .....	"An Act relating to the business of fire insurance." .....	Tabled .....
Feb. 7	Troyer .....	"An Act to amend section 16 of an Act entitled 'An Act to organize and regulate the business of life insurance,' approved March 26 1869, in force July 1, 1869." ....	A law.....
Feb. 7	Walsh .....	"An Act relating to the taxing of telegraph, telephone and electric light and power companies.".....	Tabled .....

## House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
250	Feb. 13	Clapsaddle ....	"An Act to amend section 21 of an Act entitled, 'An Act to revise the law in relation to coal mines and subjects relating thereto, and to provide for the health and safety of persons employed therein,' approved April 18, 1899, in force July 1, 1899." .....	A law.....
251	Feb. 13	Donoghue ....	"An Act to restrain all trusts and directions in deeds or wills, whereby the profits or produce of real or personal estate shall be accumulated, and the beneficial employments thereof postponed beyond the time therein limited".....	A law.....
252	Feb. 13	Church..... (by request)	"An Act to amend an Act entitled, 'An Act in relation to a municipal court in the city of Chicago,' approved May 18, 1905".....	Tabled .....
253	Feb. 13	Gaunt.....	"An Act entitled, 'An Act to require an annual apportionment and accounting of surplus of life insurance companies and the maintenance of a contingent reserve by such company.'".....	Tabled .....
254	Feb. 13	Gaunt.....	"An Act regulating disbursements of life insurance companies".....	Tabled .....
255	Feb. 13	Haase.....	"An Act amending sections one (1) and ten (10) of an Act entitled, 'An Act for the protection of game, wild fowl and birds, to repeal certain Acts relating thereto,' approved April 28, 1903, in force July 1, 1903; as amended by Act approved May 18, 1905, in force July 1, 1905".....	Tabled .....
256	Feb. 13	Harris .....	"An Act to regulate the practice of optometry in the State of Illinois."	Tabled April 11.....
257	Feb. 13	Harris .....	"An Act to make an appropriation for the ordinary expenses of the Western Illinois State Normal School, at Macomb".....	Tabled May 2.....
258	Feb. 13	Hearn.....	"An Act to amend section nine of an Act entitled, 'An Act to extend the jurisdiction of county courts and to provide for the practice thereof, to fix the time of holding the same, and to repeal an Act therein named,' approved March 26, 1874, and in force July 1, 1874, and as amended by an Act approved May 13, 1879, and in force July 1, 1879".....	A law.....



## House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
59	Feb. 13	Kerrick .....	"An Act to provide for the office of State Entomologist, to define its duties and to extend its equipment" .....	Tabled .....
60	Feb. 13	Levere .....	"An Act to amend section 5 of an Act entitled, 'An Act to revise the law in relation to paupers,' approved March 23, 1874, in force July 1, 1874" .....	A law .....
61	Feb. 13	Lewis .....	"An Act to amend section 8 of an Act entitled, 'An Act to revise the law in relation to township insurance companies,' approved March 24, 1874, in force July 1, 1874, as amended June 10, 1887, in force July 1, 1887" .....	Tabled in Senate .....
62	Feb. 13	Link .....	"An Act to amend section 11 of an Act to organize and regulate county fire insurance companies," approved May 11, 1901, in force July 1, 1901" .....	A law .....
63	Feb. 13	Link .....	"An Act regulating the amount of insurance any county or township mutual fire insurance company now organized or hereafter organized under the laws of the State may insure" .....	Tabled April 10 .....
64	Feb. 13	Lindly .....	"An Act making an appropriation for the Illinois Farmers' Institute" .....	Tabled May 2 .....
65	Feb. 13	Lindly .....	"An Act to extend the equipment and increase the instruction in the College of Agriculture of the University of Illinois, and to provide for the extension of the Agricultural Experiment Station, and to make appropriations therefor; with the intent of equipping said college and station for instruction and investigation of the highest order along principal lines of agriculture" .....	Tabled .....
66	Feb. 13	Luke .....	"An Act in relation to the sale of articles manufactured or finished in penal or reformatory institutions" .....	Tabled .....
67	Feb. 13	McRoberts .....	"An Act establishing a maximum rate of charge for the carriage of passengers by railroads or transportation companies doing business within the State, and prescribing penalties for the violation thereof." .....	Tabled .....
68	Feb. 13	McRoberts .....	"An Act to prohibit the giving of passes or other free transportation by all common carriers doing business within the State of Illinois, and prescribing penalties for a violation thereof" .....	Tabled .....

## House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
269	Feb. 13	McRoberts....	"An Act to amend section 24 of an Act entitled, 'An Act to provide for the printing and distribution of ballots at public expense and for the nomination of candidates for public office, to regulate the manner of holding elections and to enforce the secrecy of the ballot,' approved June 22, 1891, in force July 1, 1891".....	Tabled April 11.....
270	Feb. 13	Murray .....	"An Act requiring contracts or agreements for compensation or commissions for the sale or exchange of real estate to be in writing".....	Tabled in Senate.....
271	Feb. 13	Oglesby.....	"An Act making the larceny of poultry a felony; providing a punishment therefor, and to provide for the punishment of persons for buying, receiving or aiding in concealing stolen poultry or poultry obtained by burglary, knowing the same to have been so obtained"....	Tabled .....
272	Feb. 13	Pervier .....	"An Act to increase the efficiency of country school districts by providing for the free conveyance of children to and from school in certain cases, and authorizing the use of the public school funds therefor"....	Tabled .....
273	Feb. 13	Schaefer..... (by request)	"An Act relating to and regulating appointees and employes of courts of record and of justices and judges thereof".....	Tabled .....
274	Feb. 13	Schaefer..... (by request)	"An Act to provide for the appointment of a commission to investigate and report to the Legislature means for improving the criminal procedure of this State".....	Tabled April 10.....
275	Feb. 13	Schermerhorn	"An Act to amend section fourteen (14) of an Act in regard to garnishment, approved March 9, 1872, in force July 1, 1872, as amended by Act approved May 11, 1901, in force July 1, 1901".....	Tabled .....
276	Feb. 13	Schermerhorn	"An Act to make an appropriation for the purchase of a miniature 'Battleship Illinois' for Historical Library" .....	Tabled .....
277	Feb. 13	Schermerhorn	"An Act concerning the by-laws governing fraternal beneficiary societies" .....	Tabled .....
278	Feb. 13	Walsh.....	"An Act to prohibit the use of deleterious ingredients in the manufacture or sale of beer, porter, ale, malt tonic or malt extract".....	Tabled .....

*House Synopsis—Continued.*

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
279	Feb. 13	Fitch.....	"An Act to amend section 1 of an Act entitled, 'An Act providing for an expression of opinion by electors on questions of public policy at any general or special election,' approved May 11, 1901, in force July 1, 1901".....	Tabled .....
280	Feb. 13	Allen.....	"An Act to regulate the sale of spirituous or malt liquors".....	Tabled .....
281	Feb. 14	Baird.....	"An Act making a special appropriation for the Southern Illinois Normal University, for the purposes herein named".....	Tabled May 2.....
282	Feb. 14	Blair.....	"An Act to amend section one (1) of an Act entitled, 'An Act to restrict the powers of counties, cities, towns and villages in licensing dram shops; to provide for granting a license to retail malt liquors separately, and for punishing persons holding such separate license for unlawful sale and gifts,' approved June 15, 1883, in force July 1, 1883".....	Tabled .....
283	Feb. 14	Clapsaddle....	"An Act prohibiting attorneys or counselors at law, who are associated as partners in the practice of law with any county or probate judge, from practicing in any court of record in the State in which said judge is presiding, and providing a penalty therefor".....	Tabled .....
284	Feb. 4	Flannigen....	"An Act to make an appropriation for the benefit, aid and maintenance of the Illinois Firemen's Association" .....	A law.....
285	Feb. 14	Gibbons.....	"An Act to provide for the annexation, for township high school purposes, of any school township, or part of such township, not having an established township high school, to any adjacent school township having an established township high school".....	A law.....
286	Feb. 4	Hamilton.....	"An Act to amend section 1 of an Act to indemnify the owners of sheep, in cases of damages committed by dogs,' approved May 29, 1879, in force July 1, 1879, as amended by an Act approved June 16, 1891, in force July 1, 1891".....	Tabled .....
287	Feb. 14	Heinl.....	"An Act making an appropriation for the Illinois Live Stock Breeders' Association" .....	Tabled .....

*House Synopsis—Continued.*

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
288	Feb. 14	Heinl.....	"An Act to compel witnesses in certain cases to testify and to release them from all liability to punishment on account of any matter to which they shall be required to testify" .....	Tabled .....
289	Feb. 14	Heinl.....	"An Act to prevent fraud between attorneys, clients and defendants, making agreements between clients and attorneys a lien upon the cause of action" .....	Tabled .....
290	Feb. 14	Heinl.....	"An Act to establish the Illinois State Historical Society and to provide for its care and maintenance, and to make appropriations therefor" .....	Tabled .....
291	Feb. 14	Keck.....	"An Act to repeal section 3 and to amend section 4 of an Act entitled, 'An Act to protect persons and property from danger from steam engines on public highways,' approved June 26, 1885, in force July 1, 1885" .....	A law.....
292	Feb. 14	Kerrick.....	"An Act to provide for the purchase of overcoats, dress and service uniforms, pea jackets, for the Illinois National Guard and the Illinois Naval Reserve" .....	A law.....
293	Feb. 14	Kerrick.....	"An Act to purchase armory site for Second Infantry, Illinois National Guard, and sixty (60) acres additional ground for Camp Logan, Illinois" .....	A law.....
294	Feb. 14	Kerrick.....	"An Act to amend each and every section of Article II, and section one (1) and section two (2) of Article IV of an Act entitled, 'An Act to establish a military and naval code for the State of Illinois, and to repeal all Acts in conflict herewith,' approved May 14, 1903, in force July 1, 1903, and to add to Article XII thereof an additional section to be numbered and known as section 11" .....	Tabled .....
295	Feb. 14	Landmesser...	"An Act amending an Act entitled, 'An Act to regulate public warehouses and the warehousing and inspection of grain and to give effect to article thirteen of the Constitution of the State,' approved April 25, 1871, in force July 1, 1871, by adding thereto the following sections, numbered 21a to 26a, inclusively" .....	Tabled .....
296	Feb. 14	Lantz..... (By request)	"An Act relating to imprisonment for debt" .....	Tabled .....



*House Synopsis—Continued.*

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
97	Feb. 1	Lawrence.....	"An Act to amend section 1 of an Act entitled, 'An Act to authorize the construction and maintenance of gravel, rock, macadam or other hard roads,' approved June 18, 1883, in force July 1, 1883".....	Tabled April 19.....
98	Feb. 14	McGoorty.....	"An Act to make an appropriation for the payment of the amounts awarded by the Court of Claims to certain persons named therein"....	Tabled .....
99	Feb. 14	McRoberts.....	"An Act to amend sections 6, 10 and 19 of an Act entitled, 'An Act to tax gifts, legacies and inheritances in certain cases, and to provide for the collection of the same,' approved June 15, 1895, in force July 1, 1895, as amended by the Acts of May 10, 1901".....	Tabled .....
100	Feb. 14	Pierson.....	"An Act to amend section 87 of an Act entitled, 'An Act in regard to practice in courts of record,' approved February 22, 1872, in force July 1, 1872, and amended by Act approved June 2, 1877, in force July 1, 1877".....	Tabled April 18.....
101	Feb. 14	Pogue.....	"An Act to prohibit unfair commercial discriminations between different sections, communities or localities or unfair competition, and providing penalties therefor".....	Tabled .....
102	Feb. 14	Provine (by request)...	"An Act to amend section 8 of an Act entitled, 'An Act concerning local improvements,' approved June 14, 1897, and as amended by an Act of the General Assembly of the State of Illinois, approved May 9, 1901, in force May 9, 1901".....	Tabled .....
103	Feb. 14	Provine (by request)...	"An Act to amend section four of an Act entitled, 'An Act concerning local improvements,' approved June 14, 1897, and as amended by an Act of the General Assembly of the State of Illinois, approved April 19, 1899, and in force July 1, 1899, and as amended by an Act of the General Assembly of the State of Illinois, approved May 18, 1905, and in force July 1, 1905".....	Tabled .....
104	Feb. 14	Provine (by request)...	"An Act to provide for the inspection and licensing of all slaughtering, meat packing or rendering plant or plants or similar establishments in which cattle, sheep, swine or poultry are slaughtered, to be done under and by authority of the Board of Live Stock Commissioners of the State of Illinois".....	Tabled .....

## House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
305	Feb. 14	Reynolds.....	"An Act to prohibit contributions for political purposes to candidates for public office".....	Tabled .....
306	Feb. 14	Schermerhorn	"An Act regulating and fixing the rental price for telephones and making telephone companies common carriers".....	Tabled .....
307	Feb. 14	Werdell.....	"An Act to regulate the speed of automobiles and other horseless conveyances upon the public streets, roads and highways of the State of Illinois".....	Tabled .....
308	Feb. 14	Werdell.....	"An Act to prohibit the scalping and sale of tickets for more than the price printed thereon, for theaters, circuses and places of amusement, and declaring the same a misdemeanor, and fixing the penalties therefor" .....	Tabled April 5.....
309	Feb. 14	Young (by request)..	"An Act to provide that certain notices by publication shall be published in some newspaper in the town or township".....	Tabled .....
310	Feb. 14	Cermack.....	"An Act to provide for the limiting the number of dram shops in cities, towns and villages, and for restricting the sale or transfer of licenses granted by the corporate authorities of any city, town or village for the keeping of dram shops" .....	Tabled .....
311	Feb. 14	McBride.....	"An Act for payment of printing done by Henry W. Rokker, and to make appropriation therefor".....	Tabled .....
312	Feb. 14	Danaher.....	"An Act to amend section 18 of an Act entitled, 'An Act in regard to administration of estates,' approved April 1, 1872, in force July 1, 1872".....	Tabled .....
313	Feb. 14	Fieldstack....	"An Act to provide for the health, safety and comfort of employes in factories, mercantile establishments, mills and workshops in this State, and to provide for the enforcement thereof".....	Tabled .....
314	Feb. 19	Campbell.....	"An Act to amend an Act entitled, 'An Act to regulate the fees of court receivers and attorneys' fees in receivership cases of building and loan associations,' approved May 10, 1901, in force July 1, 1901." .....	Vetoed .....

## House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
315 Feb. 19	Campbell .....		"An Act to make every railroad corporation liable for all injuries resulting to passengers from the failure of said railroad corporations to provide sufficient cars to seat all passengers." .....	Tabled .....
316 Feb. 19	Cermack .....		"An Act to provide for the formation and disbursement of a House of Correction employes' pension fund in cities having a population exceeding 100,000 inhabitants" ....	Tabled in Senate .....
317 Feb. 19	Cermack .....		"An Act to regulate the business of all persons, co-partnerships, associations, organizations or corporations which are now, or shall hereafter, be engaged in the business as home co-operative companies, or in business of issuing contracts of agreements, whether in the nature of a bond, debenture, certificate or otherwise, providing for the redemption or fulfilling of such contracts or agreements as by the accumulation of a fund or funds from contributions made by the subscribers to or the holder of such contracts or agreements or providing for the maturing or fulfilling of such contracts or agreements in the order of their issue, or in some other fixed or arbitrarily determined order, or providing for the payment of money or the granting or giving of any consideration greater in value than the amount paid in upon such contract, together with the actual net earnings accrued and accumulated thereon, or providing for the loaning of the funds contributed by the subscribers to or the holders of such contracts or agreements to such subscribers or to the holder in any fixed or arbitrarily determined order or manner, or for the making of loans or advances from such funds to or for such subscribers or holders to be repaid in installments, except all persons, co-partnerships, associations, organizations or corporations doing business under the provisions of the statutes provided for the regulation of bond, investment, trust or insurance companies, or banks, savings fund, building and loan, fiduciary relief or fraternal orders, associations or companies" .....	Vetoed .....
318 Feb. 19	Church .....		"An Act to amend section 1 of an Act entitled, 'An Act to create and establish a Board of Health in the State of Illinois,' approved May 28, 1877, in force July 1, 1877." .....	Failed to pass May 2..

## House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
319	Feb. 19	Church.....	"An Act to amend sections two and three of an Act entitled, 'An Act to regulate the practice of medicine in the State of Illinois, and to repeal an Act therein named,' approved April 24, 1899, in force July 1, 1899".....	Tabled .....
320	Feb. 19	Covey.....	"An Act to amend the amended title and section five (5) of an Act entitled, 'An Act to enable cities and villages to buy and construct water works and to provide for the management thereof, and giving them authority to levy an annual tax and pledge same in payment therefor,' approved April 19, 1899, in force July 1, 1899".....	Tabled .....
321	Feb. 19	Coyle .....	"An Act to provide for the annexation for township high school purposes, of any school township, or part of such township not having an established township high school, to any adjacent school township having an established township high school".....	Tabled .....
322	Feb. 19	Dougherty ....	"An Act to amend an Act entitled, 'An Act to provide for the appointment of a State Food Commissioner and to define his powers and duties and fix his compensation, and to prohibit and prevent adulteration, fraud and deception in the manufacture and sale of articles of food, and to repeal certain Acts or parts of Acts therein named,' approved April 24, 1889, in force July 1, 1889, except as to penalties as amended by an Act to regulate the sale and analysis of concentrated feeding stuffs,' approved May 18, 1905, in force July 1, 1905, by adding the following sections'....	Tabled .....
323	Feb. 19	Dougherty ....	"An Act to protect and define the rights of the people in the use of lands covered by navigable waters, swamps, lands and other lands covered by water belonging to the State, and to provide for and protect the public in the use of such lands and waters, and the enjoyment of such lands and waters and the game and fish thereon and therein within the State".....	Tabled .....
324	Feb. 19	nnan..... (by request)	"An Act to amend section 7 of an Act entitled, 'An Act to regulate the practice of medicine in the State of Illinois, and to repeal an Act therein named,' approved April 24, 1899, in force July 1, 1899".....	Tabled .....



*House Synopsis—Continued.*

When introduced.	By whom introduced	Abstract of Title of Bill.	Disposition.
Feb. 19	Gaumer .....	"An Act to prohibit the manufacture and sale of intoxicating liquors for beverage purposes and to regulate the sale thereof for medicinal, chemical, mechanical and sacramental purposes, and to provide penalties for the violation thereof."	Tabled .....
Feb. 19	Gibbons .....	"An Act requiring public service companies and corporations to make and file certain plats and schedules of their property with the supervisor of assessments or board of assessors, as the case may be, for the purpose of assessing for taxation."	Tabled .....
Feb. 19	Hamilton ..... (by request)	"An Act providing for the incorporation and control of rural cemetery associations" .....	Tabled .....
Feb. 19	Hill .....	(by request) "An Act for the recovery of interest overpaid on usurious contracts" ..	Tabled Mar. 15, 1907.
Feb. 19	Hruby .....	"An Act entitled, 'An Act entitling persons recovering or obtaining verdicts or judgments in civil actions at law for special damages for attorney fees' .....	Tabled .....
Feb. 19	Ireland .....	"An Act to make appropriations for ordinary and other expenses of the Illinois State Reformatory at Pontiac" .....	Vetoed in part .....
Feb. 19	Krape .....	"An Act to amend section 61 of an Act to provide for the holding and the regulation of primary elections of delegates to nominating conventions, for the holding of such conventions, filling vacancies and fixing penalties for the violation of the provisions thereof, approved May 23, 1906, in force July 1, 1906, so as to read as follows" ....	Tabled .....
Feb. 19	Lindly .....	"An Act to amend section 3 of an Act entitled, 'An Act to provide for scholarships for graduates of the eighth grade,' approved May 12, 1905" .....	A law .....
Feb. 19	McBride .....	"An Act to enable incorporated cities, towns and village, organized under any general or special law, to levy and collect a tax or license upon all express companies, persons, associations or corporations doing express business for the benefit of such cities, towns or villages" ....	Tabled .....
Feb. 19	McBride .....	"An Act to prohibit the issuance of policies or certificates of insurance companies upon the life of any person less than fourteen (14) years of age" .....	Tabled April 11 .....

## House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
335	Feb. 19	McBride .....	"An Act concerning the cutting and sale of ice." .....	Tabled .....
336	Feb. 19	McNally .....	"An Act to amend 'An Act to authorize recorders of deeds in counties where recorders of deeds are elected to keep abstract books, to make abstracts of title and fixing the fees and compensation therefor,' approved June 16, 1887".....	Tabled .....
337	Feb. 19	McNally .....	"An Act to enable county boards to control the use of the public records and property for the purposes of the business of making abstracts of title, and title guarantee policies; fixing maximum fees and charges which may be charged for abstracts so made; providing penalties for violation of the provisions thereof; amending an Act to legalize the acts of deputy recorders, and to repeal all existing laws inconsistent therewith".....	Tabled .....
338	Feb. 19	McNally .....	"An Act empowering county boards in the counties of this State having a population of more than 300,000 inhabitants to regulate the use by the public of any room or space in any county office in which any public records are kept, allowing assignments of space therein to persons engaged in the business of making abstracts of title or title guarantee policies, or other business requiring frequent use of public records, and fixing maximum fees to be charged in such abstract and title guarantee business by those availing themselves of this Act" .....	Tabled .....
339	Feb. 19	Mills .....	"An Act to amend sections 2, 3 and 4 of an Act entitled, 'An Act to authorize recorders of deeds in counties where recorders of deeds are elected, to keep abstract books, to make abstracts of title, and fixing the fees and compensation therefor, and to repeal an Act therein named,' approved May 14, 1903, in force July 1, 1903".....	Tabled April 4.....
340	Feb. 19	Navigato .....	"An Act to amend section 30 of an Act entitled, 'An Act to incorporate and to govern fire, marine and inland navigation insurance companies doing business in the State of Illinois,' approved May 31, 1879, in force July 1, 1879".....	Tabled .....
341	Feb. 19	Provine .....	"An Act to provide for the inspection of any animal intended for human food, appearing to be diseased, and for the disposition of the carcass" A law.....	

*House Synopsis—Continued.*

When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
Feb. 19	Schermerhorn	"An Act regulating dividends paid to stockholders of life insurance companies" .....	Tabled .....
Feb. 19	Schermerhorn	"An Act creating a commission and providing for the purchase of additional grounds for the use of the State Capitol building, in the completion of said building at the south end thereof, and also additional ground for the building of a Memorial Hall and State Museum." .....	Tabled .....
Feb. 19	Shanahan..... (by request)	"An Act concerning the annual report of Park Commissioners".....	Tabled .....
Feb. 19	Smith.....	"An Act to amend section 2 of an Act entitled, 'An Act requiring compensation for causing death by wrongful acts, neglect or default, approved February 12, 1853, in force February 12, 1853, as amended by Act approved May 13, 1903, in force July 1, 1903'.....	Tabled .....
Feb. 19	Ton .....	"An Act to prohibit and punish pool selling, book making, betting, wagering and gambling".....	Tabled .....
Feb. 20	Allen.....	"An Act providing for primary elections by direct vote'.....	Tabled .....
Feb. 20	Behrens.....	"An Act imposing new duties upon the State Water Survey, and making an appropriation therefor"....	Tabled .....
Feb. 20	Canaday .....	"An Act to amend section 118 of an Act entitled, 'An Act in regard to roads and bridges in counties under township organization, and to repeal an Act and parts of Acts therein named,' approved June 23, 1883, in force July 1, 1883".....	Tabled .....
Feb. 20	Covey.....	"An Act to regulate the use of tile and open drains, and to provide a penalty for the violation thereof"...	Tabled .....
Feb. 20	Coyle.....	"An Act to provide for the payment of one half of the seven per cent of the gross earnings of the Illinois Central Railroad Company to the counties through which the charter line of said company passes, in proportion the miles of main track in each county".....	Tabled .....
Feb. 20	Coyle.....	"An Act to amend an Act entitled, 'An Act to regulate the practice of pharmacy in the State of Illinois, to make an appropriation therefor, and to repeal certain Acts therein named,' approved April 11, 1901, in force July 1, 1901, by repealing section twenty-six of said Act".....	Tabled .....

*House Synopsis—Continued.*

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
353	Feb. 20	Donoghue ....	"An Act in relation to assignments of wages".....	Tabled May 2.....
354	Feb. 20	Flannigan ....	"An Act to amend sections 2 and 18 of an Act entitled, 'An Act to establish Appellate Courts,' approved June 2, 1877, in force July 1, 1877, as amended subsequent Acts"	Tabled .....
355	Feb. 20	Hollenbeck ...	"An Act making appropriations for the ordinary expenses of the Eastern Illinois State Normal School, herein named".....	Tabled May 2.....
356	Feb. 20	Jewell .....	"An Act to amend section 101 of an Act entitled, 'An Act in regard to the administration of estates,' approved April 1, 1872, in force July 1, 1872, as amended by an Act approved June 15, 1887, in force July 1, 1887".....	Tabled .....
357	Feb. 20	Kittleman ....	"An Act to amend an Act entitled, 'An Act to regulate the profession of public accountant,' approved May 15, 1903, in force July 1, 1903" .....	Tabled .....
358	Feb. 20	Kowalski ...s.	"An Act to repeal an Act entitled, 'An Act to regulate and prescribe the conditions for the granting of rights and privileges for lighting and heating purpose by cities, villages and incorporated towns, and providing a remedy by the property owner where such conditions have not been complied with,' approved June 5, 1897, in force July 1, 1897" .....	Tabled .....
359	Feb. 20	Lawrence ....	"An Act authorizing the Governor to appoint a State Forest Commission and State Forester, and for the purchase of a white pine forest tract in Ogle county, to be known as 'The Ogle County Forest Preserve,' and appropriating moneys therefor" .....	Tabled April 10.....
360	Feb. 20	McGoorty....	"An Act concerning the manner of commencing and conducting the prosecution of criminal offenses"...	Tabled April 9.....
361	Feb. 20	McNally .....	"An Act establishing the maximum rate of fare to be paid by passengers on elevated railways, in certain cases, and in cities in this State of 100,000 inhabitants and over" .....	Tabled .....



## House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
302	Feb. 20	McNally .....	"An Act concerning trusts, companies or corporations organized under the laws of this State or any other state, and which exceeds, enlarge or add to the rights, powers or privileges granted to such companies or corporations under charter, articles of incorporation and the laws of the State of Illinois"...	Tabled .....
303	Feb. 20	McNichols ....	"An Act to amend section 63 of an Act entitled, 'An Act in regard to elections and to provide for filling vacancies in elective offices,' approved April 8, 1872, in force July 1, 1872, as amended by an Act approved June 24, 1895, in force July 1, 1895".....	Tabled .....
304	Feb. 20	McRoberts....	"An Act to authorize county authorities to establish and maintain a children's home for the care and custody of dependent, delinquent or truant children, and to levy and collect a tax to pay the cost of its establishment and maintenance"...	Tabled .....
305	Feb. 20	Mills .....	"An Act to regulate the practice of chiropody in the State of Illinois."	Tabled .....
306	Feb. 20	Murray .....	"An Act fixing the maximum rate of fare to be charged by railroad companies, or corporations in this State, and within the limits of all cities in this State".....	Tabled .....
307	Feb. 20	Murray .....	"An Act to prevent the use of false weights and measures, and providing a penalty therefor".....	Tabled .....
308	Feb. 20	Pierson..... (by request)	"An Act to amend sections 26, 33 and 34 of an Act entitled, 'An Act concerning conveyances,' approved March 29, 1872, in force July 1, 1872" .....	Tabled .....
309	Feb. 20	Pierson..... (by request)	"An Act to amend sections 9 and 10 of an Act entitled, 'An Act in regard to wills,' approved March 20, 1872, in force July 1, 1872".....	Tabled .....
310	Feb. 20	Pierson..... (by request)	"An Act to amend section 97 of an Act entitled, 'An Act in regard to the administration of estates,' approved April 1, 1872, in force July 1, 1872" .....	Tabled .....
311	Feb. 20	Schermerhorn	"An Act entitled, 'An Act to prohibit and prevent adulteration, fraud and deception in the manufacture and sale of articles of soap, powder or other cleansing preparations'"...	Tabled .....

## House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
372	Feb. 20	Schermerhorn	"An Act to suppress gambling in bonds, stocks and other articles, or in the fictitious value thereof"....	Tabled .....
373	Feb. 20	Shanahan..... (by request)	"An Act to amend sections 1, 4 and 5 of an Act entitled, 'An Act to promote attendance of children in schools and to prevent truancy,' approved June 11, 1897, as amended by an Act approved May 13, 1903, in force July 1, 1903".....	Tabled .....
374	Feb. 20	Sheldon.....	"An Act to amend sections 74 and 75 of an Act entitled, 'An Act in regard to the administration of estates,' approved April 1, 1872, in force July 1, 1872".....	Tabled .....
375	Feb. 20	Smejkal.....	"An Act to amend section 42 of an Act entitled, 'An Act concerning local improvements,' approved June 14, 1897, in force July 1, 1897, as amended by an Act approved May 14, 1903, in force July 1, 1903" .....	Tabled .....
376	Feb. 20	Smith.....	"An Act to compel telephone companies, corporations or owners of competing lines to connect their lines with each other, and to fix the maximum rates to be charged for the rental of telephones and for toll messages".....	Tabled .....
377	Feb. 20	ApMadoc.....	"An Act to provide against the evils resulting from the traffic in certain narcotic drugs and to regulate the sale thereof".....	Tabled .....
378	Feb. 20	ApMadoc.....	"An Act to amend sections 5, 6 and 14 of an Act entitled, 'An Act to regulate the practice of pharmacy in the State of Illinois, to make an appropriation therefor, and to repeal certain Acts therein named,' approved May 11, 1901, in force July 1, 1901, as said Act was amended by an Act entitled, 'An Act to amend an Act entitled, 'An Act to regulate the practice of pharmacy in the State of Illinois, and to make an appropriation therefor and to repeal certain Acts therein named,' approved May 11, 1901, in force July 1, 1901, by adding thereto two new sections to be known as section 14a and 14b, and to amend section 16 thereof,' approved May 13, 1903, in force July 1, 1903" .....	Tabled .....

*House Synopsis—Concluded.*

When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
9 Feb. 20	u grave.....	"An Act prohibiting the escape and waste of natural gas from natural gas wells, providing the means of storing, conveying and taking care of the same, providing for the kind of pipe or casing and the pressure at which natural gas may be transported through the same, prohibiting the use of any device or artificial means for increasing the flow of any natural gas well or wells which is being used as a natural gas well only and from increasing or maintaining the flow of natural gas through pipes used in transporting or conveying the same, prescribing remedies and penalties and declaring an emergency" .....	Tabled.....
10 Feb. 20	Church..... (by request)	"An Act to authorize religious corporations to own and hold shares of the capital stock of cemetery associations" .....	Tabled.....
11 Feb. 20	Daugherty .....	"An Act empowering cities, villages and incorporated towns to acquire, construct, maintain and operate systems of telephones, gas, electric light, heat and power plants for corporate and general services and to provide the means therefor".....	Tabled.....
2 Feb. 20	Egan.....	"An Act to amend an Act entitled, 'An Act to provide for the formation and disbursement of a public library employes' pension fund in cities having a population exceeding 100,000 inhabitants,' approved May 12, 1905, in force July 1, 1905" .....	A law.....
3 Feb. 21	ApMadoc.....	"An Act to establish a legislative reference department in the State library and for the gathering of information relating to legislation in this and other states and to appropriate money therefor" .....	Tabled.....
4 Feb. 21	Durfee.....	"An Act to regulate carrying of freight by railroads, steamboats or other common carriers, and for remedy for loss or damage of freight by common carriers".....	Tabled April 26.....

## House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
385	Feb. 21	Erby.....	"An Act to amend sections 2, 3, 4, 6 and 7 of an Act entitled, 'An Act to provide for the setting apart, formation and disbursement of a police pension fund in cities, villages and incorporated towns,' approved April 29, 1887, in force July 1, 1887, as amended by an Act approved April 24, 1899, in force July 1, 1899, as amended by an Act approved May 11, 1901, in force July 1, 1901, as amended by an Act approved and in force May 16, 1903".....	Tabled.....
386	Feb. 21	Gehant.....	"An Act providing for licensing and regulating hawkers, peddlers, transient merchants and kindred occupations, and providing penalties for violation thereof".....	Tabled.....
387	Feb. 21	Golden.....	"An Act prohibiting certain county officials as named therein from conducting private business in their public offices, and fixing a penalty for the violation of the same" .....	Tabled April 4.....
388	Feb. 21	Heinl.....	"An Act to prevent fraud in the sale of white lead, paint or compounds intended for use as such".....	Tabled .....
389	Feb. 21	Heinl.....	"An Act requiring railroad corporations to post in passenger stations information concerning the arrival and departure of passenger trains" .....	Tabled .....
390	Feb. 21	Heinl.....	"An Act making an appropriation for the State Board of Agriculture and county and other agricultural fairs" .....	A law.....
391	Feb. 21	Lantz.....	"An Act to amend section eleven (11) of article three (3) of an Act entitled, 'An Act to amend an Act entitled, 'An Act regulating the holding of elections and declaring the result thereof in cities, villages and incorporated towns in this State,' approved June 19, 1885, in force July 1, 1885, as amended by an Act approved June 18, 1891, in force July 1, 1891, as amended by an Act approved April 24, 1899, in force July 1, 1899"....	Tabled .....
392	Feb. 21	Lantz.....	"An Act to amend an Act entitled, 'An Act to revise the law in relation to mortgages of real and personal property,' approved March 26, 1874, in force July 1, 1874, and various Acts amendatory thereof, by amending section 2, section 3, section 4, section 5".....	Tabled May 2.....



## House Synopsis—Continued.

o.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
93	Feb. 21	Musgrave.....	"An Act to authorize and enable companies incorporated under the general laws of Illinois to engage in the business of storing and transporting oil and petroleum by pipe lines and granting the right of eminent domain to such corporations" .....	Tabled .....
94	Feb. 21	Parker.....	"An Act to provide for the election of Boards of School Inspectors in certain cases, to define the powers and to regulate the revenue thereof, to vest the title to certain school property and to repeal certain Acts herein named" .....	A law.....
95	Feb. 21	Pervier.....	"An Act to prevent wholesale naturalization for political purposes"....	Tabled .....
96	Feb. 21	Pierson (by request)...	"An Act to amend sections 1 and 10 of an Act entitled, 'An Act in regard to the descent of property,' approved April 9, 1872, in force July 1, 1872" .....	Tabled .....
97	Feb. 21	Pierson.....	"An Act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 of an Act entitled, 'An Act to amend an Act entitled, 'An Act to exempt the homestead from forced sale and to provide for setting off the same, and to exempt certain personal property from attachment and sale on execution, and from distress for rent,' approved April 30, 1873, in force July 1, 1873, and to repeal section 27 of an Act entitled, 'An Act concerning conveyance,' approved March 29, 1872, and in force July 1, 1872" .....	Tabled .....
98	Feb. 21	Pierson.....	"An Act to amend section 26 of 'An Act to revise the law in relation to circuit courts and Superior Court of Cook county,' approved February 18, 1874, in force July 1, 1874" .....	Tabled .....
99	Feb. 21	Pogue.....	"An Act enabling the trustees of State educational institutions to exercise the right of eminent domain" .....	Tabled April 11.....
100	Feb. 21	Ross.....	"An Act making it unlawful to sell, give away or deliver embalming fluids or preparations containing arsenic or strychnine without labeling the vessel containing the same, and prescribing the punishment for violations thereof" .....	Tabled .....

# House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
401	Feb. 21	Speaker (by request) ..	"An Act to amend section 3 of an Act entitled, 'An Act to protect persons and property from danger at the crossings and junctions of railroads by providing a method to compel the protection of the same,' approved June 2, 1891, in force July 1, 1891" .....	Tabled .....
402	Feb. 21	Speaker (by request) ..	"An Act to amend sections one (1) and two (2) of an Act entitled, 'An Act in relation to the crossing of one railway by another, and to prevent danger to life and property from grade crossings,' approved May 27, 1889, in force July 1, 1889" .....	Tabled .....
403	Feb. 21	Speaker (by request) ..	"An Act to amend section six of an Act entitled, 'An Act to establish a Board of Railroad and Warehouse Commissioners and prescribe their powers and duties,' approved April 13, 1871, in force July 1, 1871" .....	Tabled .....
404	Feb. 21	Speaker (by request) ..	"An Act to prevent the issuance of free passes, free tickets and free transportation by railroads in this State and to prevent the use thereof by individuals and to prescribe a mode of procedure and rules of evidence in relation thereto" .....	Tabled .....
405	Feb. 21	Daugherty ....	"An Act to amend section three (3) of an Act entitled, 'An Act to revise the law in relation to mechanics' liens; to whom, what for and when a lien is given; who is a contractor; area covered by and extent of lien when the lien attaches,' approved May 18, 1903, in force July 1, 1903; by repealing section three (3) of said Act and substituting therefor the following" .....	Tabled April 10. ....
406	Feb. 21	Com. on R. R. ..	"An Act to amend and revise an Act entitled, 'An Act to prevent extortion and unjust discrimination in the rates charged for the transportation of passengers and freights on railroads in this State, and to punish the same, and prescribe a mode of procedure and rules of evidence in relation thereto, and to repeal an Act entitled, 'An Act to prevent unjust discriminations and extortions in the rates to be charged by the different railroads in this State for the transportation of freights on said roads,' approved April 7, A. D. 1871, approved May 2, 1873, in force July 1, 1873" .....	A law .....

## House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
407	Feb. 21	Sollitt.....	"An Act empowering the State Factory Inspector to secure information and statistics from various business and mercantile establishments within this State, and providing for the enforcement thereof"	Tabled .....
408	Feb. 21	Sollitt.....	"An Act providing for the sanitation of all food producing establishments, the health of the operatives and the purity and wholesomeness of the products of such establishments, and providing for the enforcement thereof".....	Tabled .....
409	Feb. 26	ApMadoc.....	"An Act to provide for making improvements and repairs upon highways adjoining parks and pleasure grounds".....	Tabled .....
410	Feb. 26	ApMadoc.....	"An Act prohibiting the sale, distribution or gift of malt, spirituous, vinous or intoxicating liquors near the United States Naval Training schools or military posts, and providing a penalty for the violation thereof" .....	A law.....
411	Feb. 26	ApMadoc.....	"An Act to create and establish a commission for the promotion of uniformity of legislation in the United States, for the appointment of members of said commission and to prescribe their duties, and to appropriate money for the expenses thereof".....	A law.....
412	Feb. 26	Behrens	"An Act to provide that all ordinances adopted by the city council or board of trustees of any city or village organized under the general law which grants to any individual, firm, co-partnership or corporation a franchise for the use of the streets, alleys, highways and public places of such city or village, shall, on a petition signed by twenty-five per cent of the legal voters of such city or village, be submitted and referred to the vote of the people for their ratification or rejection".....	Tabled .....
413	Feb. 26	Bolin..... (by request)	"An Act to abolish the rule in Shelley's case and providing for the construction of wills, grants and other instruments affecting the title to real estate".....	Tabled .....

## House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
414	Feb. 26	Boulware .... (by request)	"An Act requiring foreign corporations doing business in this State to agree not to remove their causes into the federal courts as a condition for doing business in the State, and empowering the Secretary of State to revoke their licenses to do business in this State where such removal is had or attempted, and providing for mandamus to compel such revocation"	Tabled .....
415	Feb. 26	Boulware .... (by request)	"An Act to regulate foreign corporations doing business in this State"	Tabled .....
416	Feb. 26	Campbell.....	"An Act to authorize cities to establish and maintain by taxation public parks".....	A law.....
417	Feb. 26	Clark.....	"An Act to define trusts and conspiracies against trade, declaring contracts in violation of the provisions of this Act void, providing for the prevention of Acts in violation of its provisions and the procedure connected therewith, and making certain acts in violation thereof misdemeanors, and prescribing the punishment therefor and matters connected therewith"	Tabled .....
418	Feb. 26	Clark.....	"An Act to prohibit the manufacture and sale of cigarettes, cigarette paper or wrappers, or any substitute therefor, and providing for a penalty for the violation thereof".	Tabled .....
419	Feb. 26	Corcoran.....	"An Act prohibiting the collection of excess fare on railway trains".....	Tabled .....
420	Feb. 26	Corcoran.....	"An Act to prevent the giving of short weights and measurements"	Tabled .....
421	Feb. 26	Donoughue ...	"An Act to enable cities, towns and villages incorporated under any general or special law of this State to fix the rates and charges for telephone service furnished by an individual, company or corporation to any such city, town or village and the inhabitants thereof".....	Tabled .....
422	Feb. 26	Durfee .....	"An Act to repeal an Act entitled, 'An Act to authorize mining or manufacturing companies to own and hold shares in the capital stock and to own and hold securities of railroad companies whose roads shall connect with different plants of such mining or manufacturing companies with each other, or with other railroads or harbors,' approved June 11, 1897, in force July 1, 1897".....	Tabled .....



## House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
23	Feb. 26	Durfee .....	"An Act in relation to holding land and owning and controlling stock, bonds, securities or other interests in other associations, companies or corporations by railroad companies, their directors, officers or agents"	Tabled April 26.....
24	Feb. 26	Egan.....	"An Act to amend section 54 of an Act entitled, 'An Act concerning local improvements,' approved June 14, 1897, in force July 1, 1897, as amended by an Act approved and in force May 9, 1901, as amended by Act approved May 14, 1903, in force July 1, 1903, as amended by Act approved and in force April 13, 1905".....	Tabled .....
25	Feb. 2	English.....	"An Act to amend section one (1) of an Act entitled, 'An Act for the protection of game, wild fowl and birds, and to repeal certain Acts relating thereto,' approved April 28, 1903, and in force July 1, 1903, as amended by Act approved May 18, 1905, and in force July 1, 1905"	Tabled .....
26	Feb. 26	Fieldstack ....	"An Act to create a lien upon real estate scheduled on bonds in criminal and civil cases in this State"	Tabled .....
27	Feb. 26	Fitch.....	"An Act conferring authority upon county boards to provide for searches for omitted and unassessed property and to make contracts with reference thereto".....	Tabled .....
28	Feb. 26	Gauger.....	"An Act to amend section 6½ of an Act entitled, 'An Act to provide for the licensing and against the evils arising from the sale of intoxicating liquors,' approved March 30, in force July 1, 1874, said section having been added and numbered 6½ by an Act amending said Act approved June 19, 1891, in force July 1, 1891".....	Tabled .....
29	Feb. 26	Gillespie.....	"An Act increasing the salary of members of the county board of supervisors" .....	Tabled .....
30	Feb. 26	Gillespie.....	"An Act exempting soldiers and sailors of the War of the Rebellion from taxation to the amount of one thousand dollars".....	Tabled .....
31	Feb. 26	Harris .....	"An Act to make legal and valid the acts and ordinances of the city council of any and all cities, and of the president and board of trustees of any and all villages in the State, done and passed in making levies for city and village purposes" .....	Tabled .....

## House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
432	Feb. 26	Hearn.....	"An Act to provide for the appointment of a local meat inspector in cities, and to define his powers and duties and fix his compensation, and to prohibit and prevent the slaughter for food of diseased and unfit animals and the sale of diseased and unwholesome meats"	Tabled .....
433	Feb. 26	Heinl.....	"An Act to amend sections 1, 3 and 6 of an Act entitled, "An Act to provide for the deposit of reserve and the registration of policies and annuity bonds by life insurance companies of this State," approved April 18, 1899, in force July 1, 1899"	Tabled April 10.....
434	Feb. 26	Heinl.....	"An Act making an appropriation in aid of the Illinois State Horticultural Society"	A law.....
435	Feb. 26	Hill .....	"An Act to provide by State tax for a fund for the support and maintenance of the University of Illinois"	Tabled .....
436	Feb. 26	Hollenbeck ...	"An Act to amend sections 2, 4, 13, 15, 16, 17, 37 and 58 and to repeal sections 19, 20, 21, 22 and 25 of an Act entitled, 'An Act to provide for the construction, reparation and protection of drains, ditches and levees across the lands of others for agricultural, sanitary and mining purposes and to provide for the organization of drainage districts,' approved and in force May 29, 1879, as amended by certain Acts herein entitled, and to repeal certain laws therein named, approved June 30, 1885, in force July 1, 1885, as amended by Act approved June 4, 1889, in force July 1, 1889, as amended by Act of June 24, 1895, in force July 1, 1895, as amended by Act approved May 10, 1901, in force July 1, 1901, as amended by Act approved May 11, 1901, in force July 1, 1901, as amended by Act approved May 14, 1903, in force July 1, 1903, and to add one new section amendatory of said Act, to enable lands to be drained and protected from overflow, to be known as section seventy-five"	Tabled .....
437	Feb. 26	Landmesser ..	"An Act to prohibit the use of mechanical, automatic devices, slot machines or appliance for the sale or distribution of any article of merchandise, unless such device, machine or appliance shall first have been licensed by the proper authorities, and as provided by this Act"	Tabled .....

## House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
438	Feb. 26	Landmesser ..	"An Act to regulate stringing of overhead trolley wires and to prevent same from falling and causing accidents".....	Tabled .....
439	Feb. 26	Lantz .....	"An Act to amend section three (3), division fifteen (15), of an Act entitled, 'An Act to revise the law in relation to criminal jurisprudence,' approved March 27, 1874, in force July 1, 1874".....	Tabled .....
440	Feb. 26	Lantz .....	"An Act amending section eleven (11), division thirteen (13), of an Act entitled, 'An Act to revise the law in relation to criminal jurisprudence,' approved March 27, 1874, in force July 1, 1874".....	Tabled .....
441	Feb. 26	Lantz .....	"An Act regulating the operating of trains and the rate of fare to be charged by any railroad company for urban or interurban transportation" .....	Tabled .....
442	Feb. 26	Lindly .....	"An Act making an appropriation for the Illinois Dairymen's Association" .....	A law.....
443	Feb. 26	Lindly .....	"An Act to amend sections 10 and 12 of an Act entitled, 'An Act for the assessment of property and providing the means therefor, and to repeal certain Acts therein named,' approved February 25, 1898, in force July 1, 1898, and section 10 thereof as amended by Act of May 14, 1903, in force July 1, 1903, and section 10 thereof, as amended by Act of May 18, 1905, in force July 1, 1905".....	Tabled .....
444	Feb. 26	Manny .....	"An Act to amend an Act entitled, 'An Act to provide for the punishment of persons, co-partnerships or corporations, pools, trusts and combines, and mode of procedure and rules of evidence in such cases,' approved June 11, 1891, in force July 1, 1891, as amended by an Act approved June 20, 1893, in force July 1, 1893".....	Tabled April 30....
445	Feb. 26	Manny .....	"An Act to amend sections 117 and 128 of 'An Act for the assessment of property and for the levy and collection of taxes,' approved March 30, 1872, in force July 1, 1872, as amended by an Act approved May 10, 1901, in force July 1, 1901".....	Tabled .....
446	Feb. 26	McBride .....	"An Act for the licensing of plumbers and to supervise and inspect plumbing" .....	Tabled .....

## House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
447	Feb. 26	McNally .....	"An Act to regulate and control the sale of certain articles of food"...	Tabled .....
448	Feb. 26	McNichols ....	"An Act to amend an Act "to promote the safety of employes and travelers upon railroads by compelling common carriers engaged in moving traffic by railroads between points in the State of Illinois to equip their cars with automatic couplers and continuous brakes and their locomotives with driving wheel brakes and for other purposes," approved May 12, 1905, in force July 1, 1905".....	Tabled .....
449	Feb. 26	Musgrave.....	"An Act to prohibit discrimination in the price paid for products and commodities of like grade, gravity and quality, of corporations and individuals engaged in transportation, their agents, officers and employes and other persons and corporations, and providing penalties" .....	Tabled .....
450	Feb. 26	Musgrave.....	"An Act for the purpose of compelling oil or gas leases, when forfeited, to be released of record, and providing a penalty therefor."	A law.....
451	Feb. 26	Oglesby.....	"An Act making appropriation for the State Board of Agriculture, to be used in the construction of permanent buildings and improvements, and for beautifying the State fair grounds, at Springfield, Ill." .....	Tabled .....
452	Feb. 26	Pervier.....	"An Act to amend sections one and twenty-five of an Act entitled, 'An Act for the protection of game, wild fowl and birds, and to repeal certain Acts relating thereto,' approved April 28, 1903, and in force July 1, 1903, as amended by an Act approved May 18, 1905, in force July 1, 1905" .....	Tabled .....
453	Feb. 26	Pierson..... (by request)	"An Act to amend section forty-two (42) of an Act entitled, 'An Act to provide for drainage for agricultural and sanitary purposes, and to repeal certain Acts therein named,' approved June 27, 1885, in force July 1, 1885, as amended by an Act approved June 3, 1889, in force July 1, 1889".....	Tabled .....
454	Feb. 26	Schaefer.....	"An Act providing for attorney's fees when an action of tort is settled by the defendant without notice to the plaintiff's attorney" .....	Tabled .....



## House Synopsis—Continued.

When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
55 Feb. 26	Schermmerhorn	"An Act to provide for compiling, illustrating, electrotyping, printing, binding, copyrighting and distributing a State series of school text books, and appropriating money therefor" .....	Tabled .....
56 Feb. 26	Shanahan..... (by request)	"An Act to amend section one of an Act entitled, 'An Act concerning land titles,' approved and in force May 1, 1887" .....	Tabled May 1.....
57 Feb. 26	Shanahan..... (by request)	"An Act providing for the salaries of park secretaries" .....	Tabled .....
58 Feb. 27	Beckemeyer ..	"An Act to provide courses in mining at the University of Illinois, and making an appropriation therefor" .....	Tabled .....
59 Feb. 27	Bolin.....	"An Act to regulate and fix the time of killing fur bearing animals" .....	A law.....
60 Feb. 27	Boulware .....	"An Act to amend section 31 of an Act entitled, 'An Act to provide for the construction, reparation and protection of drains, ditches and levees, across the lands of others, for agricultural, sanitary and mining purposes, and to provide for the organization of drainage districts,' approved and in force May 29, 1879, as said section 31 was amended by an Act approved June 30, 1885, and in force July 1, 1885, entitled, 'An Act to revise and amend an Act and certain sections thereof, for the construction, reparation and protection of drains, ditches and levees across the lands of others for agricultural, sanitary and mining purposes, and to provide for the organization of drainage districts,' approved and in force May 29, 1879" .....	A law.....
61 Feb. 27	Browne .....	"An Act in relation to practice of courts on the hearing of objections to the applications of the county collector or county treasurer for judgment for delinquent taxes where said taxes are special or arise from special assessment or special taxation or other special levy for any purpose" .....	Tabled .....
62 Feb. 27	Canady.....	"An Act to regulate the election of officers and defining a representative form of government for fraternal beneficiary societies" .....	Tabled .....

## House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
463	Feb. 27	Danaher .....	"An Act to require corporations, companies or individuals who employ agents, servants or employes, to permit the investigation of accidents involving personal injury to any such agent, servant or employe, by his or her representative and to enter upon the premises where the accident occurred for such purpose" .....	Tabled .....
464	Feb. 27	Durfee .....	"An Act concerning the roads, highways and bridges and repealing other Acts concerning the same subjects" .....	Tabled .....
465	Feb. 27	English.....	"An Act providing for the appointment of a public county record examiner, prescribing his duties and fixing his compensation" .....	Tabled .....
466	Feb. 27	Fulton..... (by request)	"An Act to amend section 18 of an Act entitled, 'An Act to provide for the incorporation of cities and villages,' approved April 10, 1872, in force July 1, 1872, and as amended by an Act of the General Assembly of the State of Illinois, approved April 8, 1901, in force July 1, 1901" .....	Tabled .....
467	Feb. 27	Gillespie.....	"An Act to encourage the propagation and cultivation and to secure the protection of fishes in all waters under the jurisdiction of the State of Illinois, and providing penalties for the violation of the provisions thereof" .....	Tabled .....

## House Synopsis—Continued.

When introduced.	By whom introduced	Abstract of Title of Bill.	Disposition.
Feb. 27	Erby .....	"An Act to amend sections 2 and 7 of an Act entitled, 'An Act to create and establish a Board of Health in the State of Illinois, approved May 28, 1877, in force July 1, 1877, as said Act was amended by an Act entitled, 'An Act to amend an Act entitled an Act to create and establish a Board of Health in the State of Illinois, approved May 28, 1877, in force July 1, 1877, by adding thereto four new sections, to be numbered 15, 16, 17 and 18, approved April 21, 1899, in force July 1, 1899; as amended by an Act entitled, 'An Act to amend sections 15, 16, 17 and 18 of an Act entitled, 'An Act to create and establish a Board of Health in the State of Illinois,' approved May 28, 1877, in force July 1, 1877, as amended by an Act approved April 21, 1899, in force July 1, 1899; approved May 10, 1901, in force July 1, 1901; and by an Act entitled 'An Act requiring reports of births and deaths and recording of the same, and prescribing a penalty for noncompliance with the provisions thereof, and repealing certain Acts therein named, approved May 6, 1903, in force July 1, 1903,' and by an Act entitled, 'An Act to amend an Act entitled, 'An Act to create and establish a Board of Health in the State of Illinois, approved May 28, 1877, in force July 1, 1877, as heretofore amended by adding thereto one new section, to be numbered section 20,' approved May 13, 1905, in force July 1, 1905'..	A law .....
Feb. 27	Golden .....	"An Act to provide for the payment of a per diem fee and mileage to witnesses before a grand jury"....	Tabled .....
Feb. 27	Haase.....	"An Act to regulate the charges of stock yards in providing for the weighing, finding and yardage of stock, and to enforce the same"...	Tabled .....
Feb. 27	Hurst.....	"An Act to further enable cities, villages and incorporated towns, to lease, purchase, or construct water and sewer systems, provide for the payment of the same and any indebtedness hereon and contracts therewith" .....	A law .....
Feb. 27	King .....	"An Act to amend section 4 of an Act entitled, 'An Act requiring reports of births and deaths, and the recording of the same, and prescribing a penalty for noncompliance with the provisions thereof, and repealing certain Acts therein named,' approved May 6, 1903, in force July 1, 1903' .....	Tabled .....

## House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
473	Feb. 27	Kirkpatrick...	"An Act to amend sections 6, 7, 8, 9, 10, 13, 18, 19, 28 of an Act entitled, 'An Act to revise the laws in relation to coal mines and subjects relating thereto, and providing for the health and safety of persons employed therein,' approved April 18, 1899, in force July 1, 1899, as amended by Acts approved May 13, 14, 1903, in force July 1, 1903; and as amended by Acts approved May 12, 13, 16, 1905, in force July 1, 1905" .....	A law.....
474	Feb. 27	Krape.....	"An Act to license itinerant vendors and proprietary medicines for man or beast and providing fees therefor and prescribing penalties for the violation of the same".....	Tabled .....
475	Feb. 27	Krape.....	"An Act to levy a tax upon all male citizens over 21 years of age, and to provide, that the same shall be commuted upon production of a receipt of the election judges, showing that such citizen has voted at the last primary election." .....	Tabled .....
476	Feb. 27	Krape.....	"An Act to provide for the incorporation of agricultural societies in counties in this State, and for the regulation of the same, and for State aid to fairs and exhibitions held by agricultural societies, and for regulating of the conduct thereof" .....	Tabled .....
477	Feb. 27	Lantz.....	"An Act to amend section 53 of an Act entitled, 'An Act in regard to practice in courts of record,' approved February 22, 1872, in force July 1, 1872" .....	Tabled .....
478	Feb. 27	Lantz.....	"An Act to prohibit the use of mechanical automatic devices, slot machines or appliances for the sale or distribution of any article of merchandise or transmittal of verbal messages unless such device, machine or appliance shall first have been licensed by the proper authorities, and as provided by this Act" .....	Tabled April 22....
479	Feb. 27	Lantz..... (by request)	"An Act to regulate telephones"....	Tabled .....
480	Feb. 27	Leamon.....	"An Act to amend 'An Act to regulate the civil service of the State of Illinois,' approved May 11, 1905, in force November 1, 1905"....	Tabled .....

## House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
181	Feb. 27	Leamon .....	"An Act to amend an Act and certain sections thereof, entitled, 'An Act to provide for the construction, reparation and protection of drains, ditches and levees across the lands of others for agricultural, sanitary and mining purposes, and to provide for the organization of drainage districts,' approved and in force May 29, 1879 as amended by the Act approved June 30, 1885, and to add to said Act an additional section to be known as section 74" .....	Tabled .....
182	Feb. 27	Link.....	"An Act to amend section 8 of an Act entitled, 'An Act to organize and regulate county fire insurance companies,' approved June 6, 1887, in force July 1, 1887" .....	A law.....
183	Feb. 27	Luke.....	"An Act to amend an Act entitled, 'An Act in regard to wills,' approved March 20, 1872, in force July 1, 1872" .....	Tabled .....
184	Feb. 27	Church..... (by request)	"An Act to amend an Act entitled, 'An Act to regulate the treatment and control of dependent, neglected and delinquent children,' approved April 21, 1899, in force July 1, 1899, as amended by an Act approved May 11, 1901, in force July 1, 1901, and as further amended by an Act approved May 16, 1905, in force July 1, 1905, by amending the title and sections 1, 2, 4, 5, 7, 8, 9, 15 and 22 thereof, and by adding thereto nine (9) new sections to be known as sections 9a, 9b, 9c, 9d, 9e, 23, 24, 25 and 26" .....	A law.....
185	Feb. 27	Church..... (by request)	"An Act to amend sections 1, 2 and 3 of an Act entitled, 'An Act to revise the law in relation to the adoption of children,' approved February 27, 1874, in force July 1, 1874" .....	A law.....
186	Feb. 27	Church..... (by request)	"An Act to amend an Act entitled, 'An Act to regulate the surrender, placing and transfer of children,' approved May 13, 1905, in force July 1, 1905, by amending sections one and two thereof, and by adding thereto two sections to be known as sections 2a and 2b respectively" .....	Tabled Mar. 15.....
187	Feb. 27	Church..... (by request)	"An Act to amend sections one (1) and five (5) of an Act entitled, 'An Act concerning corporations,' approved April 18, 1872, in force July 1, 1872, as heretofore amended" .....	Tabled April 19.....



## House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
488	Feb. 27	Church..... (by request)	"An Act to authorize industrial warehouse, manufacturing and commercial corporations to acquire, own and hold capital stock and securities of corporations for acquiring, holding, improving, selling, exchanging, leasing and dealing in real estate, when such corporations shall be or contract to be tenant and landlord".....	Tabled April 19.....
489	Feb. 27	McBride.....	"An Act to provide for the inspection of gas and gas meters".....	Tabled .....
490	Feb. 27	McBride.....	"An Act relating to the sale of canned goods and providing for a penalty for the violation thereof."	Tabled .....
491	Feb. 27	McBride.....	"An Act fixing the price of gas to be charged by gas companies, authorized by any city, town or village, of Illinois, to maintain and operate a gas plant, and to supply gas to such city, town or village, or the inhabitants thereof" .....	Tabled .....
492	Feb. 27	McGuire.....	"An Act to provide for the stamping of notes, bills of credit and books of account by assessors and making the same void when not so stamped" .....	Tabled .....
493	Feb. 27	McNally .....	"An Act to provide for fire escapes in railroad cars in case of accident, and providing for a penalty for the violation thereof".....	Tabled .....
494	Feb. 27	McNichols .... (by request)	"An Act to amend an Act entitled, 'An Act to authorize judges of courts of record to appoint jury commissioners and prescribing their powers and duties' .....	Tabled .....
495	Feb. 27	Musgrave.....	"An Act to revise the law in relation to county courts".....	Tabled .....
496	Feb. 27	Ogle .....	"An Act to amend section 2, article XI, of an Act entitled, 'An Act to establish a military and naval code for the State of Illinois, and to repeal all Acts in conflict herewith,' approved May 14, 1903, in force July 1, 1903".....	Tabled .....

## House Synopsis—Continued.

When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
7 Feb. 27	Oglesby .....	"An Act to amend sections 1, 2, 3 and 4 of an Act entitled, 'An Act to authorize recorders of deeds in counties where recorders of deeds are elected, to keep abstract books, to make abstracts of title, and fixing the fees and compensation therefor, and to repeal an Act therein named,' approved May 14, 1903, in force July 1, 1903".....	Tabled .....
8 Feb. 27	Parker .....	"An Act to provide a way by which the people of a township may consolidate the school districts of a township into one school district and providing for election of directors thereof and the transportation of pupils thereof under certain conditions" .....	Tabled April 19.....
9 Feb. 27	Pierson .....	"An Act to amend section 1 of an Act entitled, 'An Act to provide for the appointment, qualifications and duties of notaries public and certifying their official acts,' approved April 5, 1872, in force July 1, 1872, as amended by Act approved May 13, 1875, in force July 1, 1875" .....	Tabled .....
00 Feb. 27	Powers .....	"An Act to provide for a tax on the gross premium receipts of all life insurance companies or associations organized under the laws of any other state or nation".....	Tabled .....
01 Feb. 27	Powers .....	"An Act to provide for the assessment of the capital stock of all telegraph companies organized under the laws of this State, or organized under the laws of any other state, territory or foreign country, and doing business in this State" .....	Tabled .....
02 Feb. 27	Powers .....	"An Act relating to the sale of syrups, molasses, and glucose mixtures" .....	Tabled .....
03 Feb. 27	Robinson.....	"An Act to limit the terms of office of certain State and county officers" .....	Tabled .....
04 Feb. 27	Roos ....., (by request)	"An Act to amend section 5 of an Act entitled, 'An Act to regulate the manufacture, transportation, use and sale of explosives and to punish an improper use of the same,' approved June 16, 1887, and in force July 1, 1887".....	Tabled .....
05 Feb. 27	Russell.....	"An Act to define maple syrup, and to provide for the standard of weight thereof and to regulate the sale thereof" .....	Tabled .....

## House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
506	Feb. 27	Russell.....	"An Act to regulate the manufacture and sale of patent, proprietary and secret medicines" .....	Tabled .....
507	Feb. 27	Schaefer.....	"An Act for the support and maintenance of Vincent Ward North" ..	Tabled in Senate.....
508	Feb. 27	Schafer.....	"An Act to amend sections 14, 17, and 23 of an Act entitled, 'An Act to provide for the printing and distribution of ballots at public expense and for the nomination of candidates for public offices, to regulate the manner of holding elections and to enforce the secrecy of the ballot,' approved June 22, 1891, in force July 1, 1891, amended by an Act entitled, 'An Act to amend section 17 of an Act entitled, 'An Act to provide for the printing and distribution of ballots at public expense and for the nomination of candidates for public offices, to regulate the manner of holding elections and to enforce the secrecy of the ballot,' approved June 22, 1891, in force July 1, 1891,' approved May 13, 1905, in force July 1, 1905".....	Tabled April 18.....
509	Feb. 27	Shanahan ....	"An Act making an appropriation for the construction of the building for the use of the Department of Justice" .....	Tabled in Senate.....
510	Feb. 27	Smejkal.....	"An Act to appropriate the sum of one hundred fifty thousand dollars (\$150,000), or so much thereof as may be necessary, for the purpose of constructing an armory building, for the use of the Seventh Infantry, Illinois National Guard, located in Chicago, Cook county, Illinois, provided that there shall be deeded to the State suitable ground upon which to erect said armory, the site to be approved by the Governor and Adjutant General" .....	A law.....
511	Feb. 27	Stevenson ....	"An Act making an appropriation of one thousand dollars (\$1,000.00) for repairing the tomb of Elias Kent Kane, second United States Senator from Illinois" .....	A law.....
	Feb. 27	Ton .....	"An Act entitled, 'An Act to insure greater safety to the lives of the travelling public and railway employees in the State of Illinois'" ..	Tabled .....

## House Synopsis—Continued.

When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
Feb. 27	Ton	"An Act entitled, 'An Act to insure greater safety to the lives of the traveling public and the employes of railroads in the State of Illinois'"	Tabled
Feb. 27	Werts	"An Act to amend section 422 of an Act entitled, 'An Act to revise the law in relation to criminal jurisprudence, and providing for the compensation of attorneys appointed by the court to defend persons charged with certain crime,' approved March 27, 1874, in force July 1, 1874, and all Acts amendatory thereof"	Tabled
Feb. 27	Bolin	"An Act to amend sections 4, 13, 16, 17, 17½, 18, 19, 21, 22 and 37 and to repeal sections 48 and 49 of an Act entitled, 'An Act to revise and amend an Act and certain sections thereof entitled, 'An Act to provide for the construction, reparation and protection of drains, ditches and levees across the lands of others for agricultural, sanitary and mining purposes, and to provide for the organization of drainage districts,' approved and in force May 29, 1879, as amended by certain Acts herein entitled, and to repeal certain laws therein named,' approved June 30, 1885, in force July 1, 1885"	Tabled
Feb. 27	Link	"An Act to amend section 2 of an Act entitled, 'An Act to give contiguous territory the right to become incorporated with township insurance companies,' approved May 3, 1881, in force July 1, 1881"	Tabled
Feb. 28	Committee on Revenue, Feb. 28	"An Act to amend an Act entitled, 'An Act to revise the law in relation to counties,' approved and in force March 31, 1874, and all Acts amendatory thereto"	A law
Feb. 28	Allen (by request)	"An Act to confer upon incorporated associations and societies not organized and managed for profit, power to acquire by purchase, gift or condemnation, real estate possessing historical interest, and abandoned cemeteries and graveyards"	Tabled
Feb. 28	Abraham	"An Act to regulate the business of express companies and to prohibit them from engaging in the business of selling express, money orders or bills of exchange"	Tabled

## House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
520	Feb. 28	Abraham.....	"An Act taxing and licensinz persons, corporations and companies doing express business on any railroad in this State" .....	Tabled .....
521	Feb. 28	Apmadoc..... (by request)	"An Act to provide for special jurors and change the practice in certain civil and criminal cases and to extend the powers and duties of jury commissioners and county boards" .....	Tabled .....
522	Feb. 28	Austin .....	"An Act to amend sections 10 and 11 of an Act entitled, 'An Act concerning corporations with banking powers,' approved June 16, 1887, submitted to a vote of the people at the November election, 1887, and adopted as amended by an Act approved June 3, 1889, submitted to a vote of the people at the November election, 1890, and adopted as amended by an Act approved June 4, 1897, and ratified by the people at the election of November 8, 1898, and proclaimed adopted by the Governor, November 28, 1898" .....	A law.....
523	Feb. 28	Canaday ....., (by request)	"An Act to amend section one (1) of an Act entitled, 'An Act to revise the laws in relation to coal mines an subjects relating thereto and providing for the health and safety of persons employed therein,' approved April 18, 1899, and in force July 1, 1899" .....	A law.....
524	Feb. 28	Chiperfield....	"An Act making an appropriation for repairs of the locks, dikes and dams in the Illinois river, at Henry and Coperas Creek, and for the maintenance of navigation in and along such portions of the Illinois river as are under the jurisdiction of the Canal Commissioners" .....	Tabled .....
525	Feb. 28	English.....	"An Act to amend sections 58, 63, 64, 65, 66, 68, 70, 71, 90, 91, 92, 94, 95, 96, 97, 98, 99, 117, 123 and 125 of an Act entitled, 'An Act for the assessment of property and for the levy and collection of taxes,' approved March 30, 1872, in force July 1, 1872, as amended by an Act approved May 31, 1879, in force July 1, 1879, as amended by an Act approved June 2, 1881, in force July 1, 1881, as amended by an Act approved and in force June 26, 1885, as amended by an Act approved May 10, 1901, in force July 1, 1901" .....	Tabled .....



## House Synopsis—Continued.

When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
26 Feb. 28	Erby .....	"An Act to regulate the manufacture, handling and storage of high explosives" .....	Tabled .....
27 Feb. 28	Erby .....	"An Act to amend an Act entitled, 'An Act relating to fire escapes,' approved and in force April 21, 1899, by adding thereto a new section to be known as section six and one-half (6½)" .....	Tabled .....
28 Feb. 28	Fieldstack.....	"An Act to provide for the placing of low water alarms on steam boilers and providing for the enforcement thereof" .....	Tabled .....
29 Feb. 28	Fieldstack.....	"An Act to provide for the protection of persons engaged and employed in the construction, repairing, altering or removing buildings, bridges, viaducts and other structures" .....	Tabled .....
30 Feb. 28	Fieldstack.....	"An Act to provide for the health, safety and comfort of employes in factories, mercantile establishments, mills and work shops in this State, and to provide for the enforcement thereof" .....	Tabled .....
31 Feb. 28	Finnan.....	"An Act making an appropriation for the Illinois State Poultry Association" .....	A law.....
2 Feb. 28	Fitch.....	"An Act defining who may become officers, delegates or who shall have any voice in the management of any fraternal insurance societies doing business in the State of Illinois" .....	A law.....
33 Feb. 28	Fitch.....	"An Act to amend section one of an Act entitled, 'An Act concerning masters in chancery,' approved April 4, 1872, in force July 1, 1872" .....	Tabled .....
34 Feb. 28	Fulton..... (by request)	"An Act to provide for the burial of deceased indigent or friendless Union soldiers, sailors or marines of the late civil war or their mothers, wives or widows" .....	Tabled in Senate.....
35 Feb. 28	Geskewich....	"An Act to provide for the equipping of the State Militia with a number of bullet proof jackets, and to further provide for an appropriation therefor for said purpose" ..	Tabled April 4.....
36 Feb. 28	Harris.....	"An Act to amend section 7 of an Act entitled, 'An Act to regulate the practice of medicine in the State of Illinois, and to repeal an Act therein named,' approved April 24, 1899" .....	Tabled .....

## House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
537	Feb. 28	Hilton.....	"An Act to prohibit the use of coloring matter in the manufacture of sausage" .....	Tabled .....
538	Feb. 28	Hilton .....	"An Act providing for a tax upon gross premium receipts of insurance companies and associations other than life" .....	Tabled .....
539	Feb. 28	Lane .....	"An Act to amend section 7 of an Act entitled, 'An Act concerning corporations with banking powers,' approved June 16, 1887, adopted by the people at an election held November 6, 1888, and proclaimed in force by the Governor December 6, 1888, as amended by an Act entitled, 'An Act to amend sections 1, 6 and 11 of an Act entitled, 'An Act concerning corporations with banking powers,' approved June 16, 1887, approved June 3, 1889, adopted by the people at an election held November 4, 1890, and proclaimed in force by the Governor November 29, 1890, as amended by an Act entitled, 'An Act to amend section 10 of an Act entitled, 'An Act concerning corporations with banking powers,' approved June 4, 1897, adopted by the people at an election held November 8, 1898, and proclaimed in force by the Governor November 28, 1898".....	Tabled March 21....
540	Feb. 28	Castle.....	"An Act to authorize the trustees of the Soldiers' and Sailors' Home at Quincy to sell certain real estate and to purchase certain other real estate and making an appropriation for such purchase".....	A law.....
541	Feb. 28	Levere.....	"An Act to amend an Act entitled, 'An Act concerning local improvements,' approved June 14, 1897, in force July 1, 1897, as heretofore amended, by adding thereto a new section to be known as section 97a" .....	Tabled April 24....
542	Feb. 28	Manny .....	"An Act to establish a Legislature Reference Bureau in the Capitol, and to provide for the drafting of bills for members of the General Assembly and for the gathering of information relating to legislation in this and other states, and to appropriate money therefor".....	Tabled .....
543	Feb. 28	McBride .....	"An Act making an appropriation in aid of paving and sewerage North Grand avenue, in the city of Springfield, from First street to the property of the State of Illinois, known as Camp Lincoln".....	Tabled .....

## House Synopsis—Continued.

When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
Feb. 28	McBride .....	"An Act to prohibit the insurance or indemnification of persons or corporations against loss, death or damage resulting from accidents to, or injury suffered by, an employé or other person".....	Tabled .....
Feb. 28	McNally .....	"An Act to prevent persons, co-partnerships, associations or corporations from doing a banking business unless they have first complied with the general banking laws of this State or the United States" .....	Tabled March 21.....
Feb. 28	McNally .....	"An Act to amend an Act entitled, 'An Act in regard to practice in courts of record,' approved February 22, 1872, in force July 1, 1872" .....	Tabled .....
Feb. 28	Russell.....	"An Act entitled, 'An Act to compel fire insurance companies to pay the assured, in case of loss, the full amount for which said company has issued its policy, and to make agents procuring insurance for companies the agents thereof, as to matters expressed in policy.'" .....	Tabled .....
Feb. 28	Russell.....	"An Act relating to the manufacture and sale of buckwheat flour, and providing for a penalty for the violation thereof".....	Tabled .....
Feb. 28	Shanahan.....	"An Act authorizing park commissioners to acquire and improve submerged and shore lands for park purposes, providing for the payment therefor, and granting unto such commissioners certain rights and powers and to riparian owners certain rights and titles" .....	Tabled .....
Feb. 28	Ton .....	"An Act to provide for the division of incorporated cities".....	Tabled .....
Feb. 28	Troyer .....	"An Act authorizing townships to issue bonds for the purpose of aiding the connection of park or parks situated within their boundaries with other park or parks by means of boulevards and bridges, and to provide for the payment of such bonds" .....	Tabled Mar. 15, 1907.
Feb. 28	Troyer .....	"An Act to enable the corporate authorities of public park districts to issue bonds for the purpose of aiding the connection of park or parks under their control with other park or parks by means of boulevards and bridge, and to provide for the payment of such bonds" .....	A law.....

## House Synopsis—Concluded.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
553	Feb. 28	Troyer .....	"An Act to amend sections 4 and 7 of an Act entitled, 'An Act to revise the law in relation to oil inspectors,' approved March 12, 1874, in force July 1, 1874".....	Tabled .....
554	Feb. 28	Walsh .....	"An Act to require life insurance companies to invest a portion of their reserve funds in the State of Illinois, and prescribing penalties for a failure so to do".....	Tabled .....
555	Feb. 28	Werts.....	"An Act to amend an Act entitled, 'An Act concerning fees and salaries, and to classify the several counties of this State with reference thereto,' approved March 29, 1872, in force July 1, 1872, as amended by Act approved June 16, 1887, in force July 1, 1887, and as amended by Act approved May 13, 1905, in force July 1, 1905".....	Tabled .....
556	Feb. 28	Church.....	"An Act to amend sections 2 and 3 of an Act entitled, 'An Act creating the office of Supervising Architect of the State of Illinois, and defining his powers and duties,' approved April 24, 1899, in force July 1, 1899, as amended by an Act May 16, 1905, in force July 1, 1905" .....	Tabled .....
557	Feb. 28	Church..... (by request)	"An Act to amend sections 1, 2, 8, 14, 16, 17, 24, 28, 29, 30, 31, 33, 37, 39, 40, 43, 44, 48, 49, 50, 52, 54, 56, 57, 58, 59, 61 and 64 of an Act entitled, 'An Act in relation to a municipal court in the city of Chicago,' approved May 18, 1905, in force July 1, 1905, and to add sections 33a, 50a, 50b, 50c, 50d, 64a, 65 and 66".....	Tabled .....
558	Feb. 28	Committee on Miscellaneous Subjects .....	"An Act to provide against the evils resulting from the traffic in certain narcotic drugs and to regulate the sale thereof" .....	Tabled .....
559	Mar. 1	Committee on License .....	"An Act relating to private employment agencies" .....	Tabled .....
560	Mar. 1	Murray.....	"An Act to amend an Act relating to the study of physiology and hygiene in the public schools,' approved January 1, 1889, in force July 1, 1889, as amended by Act in force July 1, 1891" .....	Tabled March 21.....

## House Synopsis—Continued.

When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
1 Mar. 4	Ton .....	"An Act to provide for the appointment of a State Historian and for the compilation of the civil, military and naval records of the State" .....	Tabled .....
2 Mar. 4	Schermerhorn .....	"An Act to amend section 9 of 'An Act entitled, 'An Act for the assessment of property and providing the means therefor and to repeal a certain Act therein named,' approved February 25, 1898, and in force July 1, 1898.'" .....	Tabled April 25 .....
3 Mar. 4	Chiperfield .....	"An Act to permit either husband or wife to testify in all suits in law or in equity, and in criminal causes where the other party to such marriage is a party to any such suit." .....	Tabled .....
4 Mar. 5	Allen .....	"An Act to amend section 119 of chapter 119, Revised Statutes of the State of Illinois" .....	Tabled .....
5 Mar. 5	Covey .....	"An Act to amend sections 4, 10, 38, 39, 42 and 47 of an Act entitled, 'An Act concerning local improvements,' approved June 14, 1897, in force July 1, 1897" .....	Tabled .....
6 Mar. 5	Fieldstack .....	"An Act to enable cities, villages and towns to build elevated streets, driveways and boulevards upon any public street or streets and to connect the same with other public street" .....	Tabled .....
7 Mar. 5	Ireland .....	"An Act authorizing the commissioners of highways in any township in counties under township organization, and the commissioner of highways or boards of county commissioners in counties not under township organization to maintain earth roads with a drag, and to contract for the use of the same, and to provide penalty for injury to work so done" .....	Tabled April 10 .....
8 Mar. 5	Lindly .....	"An Act to revise and amend section 7 of 'An Act to revise the law in relation to the Department of Agriculture, agricultural societies and agricultural fairs, and to provide for reports of the same,' approved June 23, 1883, in force July 1, 1883" .....	Tabled .....
9 Mar. 5	Pierson .....	"An Act to prevent false rumors or reports concerning the solvency of banks and bankers" .....	Tabled April 12 .....
	(by request)		



## House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
570	Mar. 5	Sollitt.....	"An Act to regulate the manufacture, sale and transportation of clothing, wearing apparel and other articles in this State, and to provide for the enforcement thereof".....	Tabled .....
571	Mar. 5	Stevenson ....	"An Act making appropriations for the ordinary and other expenses of the Southern Illinois Penitentiary, at Chester, Illinois".....	A law.....
572	Mar. 5	Speaker..... (by request)	"An Act to prevent the application of poison to fruit trees while in blossom" .....	Tabled .....
573	Mar. 6	Abrahams ....	"An Act to provide for the regulation of manufacturers of sausage and sausage meat, and to prevent fraud in the manufacture and sale thereof, and to provide punishment for the violation thereof".....	Tabled .....
574	Mar. 6	Covey.....	"An Act to make an appropriation to the State Milk Producers' Institute" .....	A law.....
575	Mar. 6	Committee on Roads and Bridges .....	"An Act to amend section 14 of an Act entitled, 'An Act in regard to roads and bridges in counties under township organization, and to repeal an Act and parts of Acts therein named,' approved June 23, 1883, in force July 1, 1883, as amended by an Act approved May 11, 1901, in force July 1, 1901, as amended by an Act approved May 15, 1903, in force July 1, 1903".....	Tabled .....
576	Mar. 6	Fieldstack ....	"An Act to create a board of trustees of the department of electricity pension fund, to provide and distribute such fund for the pensioning of disabled members of said department and the widows and minor children of deceased members of said department, to authorize the retirement from service and the pensioning of members of the department of electricity, and for other purposes connected therewith, in cities, villages or incorporated towns whose population exceeds fifty thousand inhabitants, having a paid department of electricity" .....	Tabled May 3.....
577	Mar. 6	Fitch..... (bv request)	"An Act to amend section 8 of an Act entitled, 'An Act to provide additional means for the construction of sidewalks in cities, towns and villages,' approved April 15, 1875, in force July 1, 1875, as amended by an Act filed May 18, 1905, in force May 18, 1905".....	Tabled .....

## House Synopsis—Continued.

When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
8 Mar. 6	Gehant .....	"An Act to facilitate the insurance of employes against the consequences of accidents resulting in personal injury or death and to permit agreements between employers and employes with reference to such accidents' .....	Tabled .....
9 Mar. 6	Heinl .....	"An Act to regulate the civil service of counties" .....	Tabled .....
0 Mar. 8	Heinl .....	"An Act to regulate the civil service of cities" .....	Tabled .....
1 Mar. 6	Hollenbeck .....	"An Act to amend section 14 of an Act entitled, 'An Act concerning fees and salaries, and to classify the several counties of this State with reference thereto,' approved March 20, 1872, in force July 1, 1872, title as amended by Act approved March 28, 1874, in force July 1, 1874, as amended by Act approved April 8, 1875, in force July 1, 1875, as amended by Act approved May 11, 1877, in force July 1, 1877, as amended and approved June 23, 1883, in force July 1, 1883, as amended June 26, 1885, in force July 1, 1885, as amended by Act approved June 4, 1889, in force July 1, 1889, as amended by Act approved May 11, 1901, in force July 1, 1901, as amended by Act approved May 14, 1903, in force July 1, 1903, as amended by Act approved May 16, 1905, in force July 1, 1905" .....	A law .....
2 Mar. 6	Lawrence .....	"An Act to amend section one of an Act entitled, 'An Act for the protection of game, wild fowl and birds, and to repeal certain Acts relating thereto,' approved April 28, 1903, in force July 1, 1903, as amended by an Act approved May 18, 1905, in force July 1, 1905" .....	Tabled .....
3 Mar. 6	Martin .....	"An Act to provide for the organization and management of corporations for the purpose of furnishing indemnity upon the assessment plan to the owners of automobiles traction engines or other vehicles or machinery against loss by reason of liability for damages on account of any injury to person or property suffered by any person or persons or corporation in consequence of the operation, maintenance or use of an automobile, traction engine, or other vehicle or machinery" .....	Tabled .....
4 Mar. 6	McLaughlin ..	"An Act to grant indemnity and relief to John Schultz, and to make an appropriation therefor" .....	Tabled .....

## House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
585	Mar. 6	McLaughlin ..	"An Act to make an appropriation for the relief of Anton Grajewski."	Tabled .....
586	Mar. 6	McLaughlin ..	"An Act to provide for the filing of conditional contracts of sale, of personal property, and to provide a penalty for the unlawful disposal of same" .....	Tabled April 24.....
587	Mar. 7	Navigato .....	"An Act to repeal an Act entitled, 'An Act to regulate the civil service of cities,' approved and in force March 20, 1895" .....	Tabled .....
588	Mar. 6	Pierson .....	"An Act to amend sections 40 and 93 of an Act entitled, 'An Act concerning local improvements,' approved June 14, 1897, as amended" .....	Tabled .....
589	Mar. 6	Roos.....	"An Act to amend section 40 of an Act entitled, 'An Act concerning fees and salaries and to classify the several counties of this State with reference thereto,' approved March 29, 1872, in force July 1, 1872, as amended by an Act approved March 28, 1874, in force July 1, 1874" .....	Tabled .....
590	Mar. 6	Smith.....	"An Act to regulate and control the government of fraternal beneficiary societies, to establish qualifications of delegates and officers of such societies, and their manner of election and to regulate their compensation" .....	Tabled .....
591	Mar. 6	Sollitt.....	"An Act to amend section 1 of article 2 of an Act entitled, 'An Act to establish and maintain a system of free schools,' approved and in force May 21, 1889, and all Acts amendatory thereto" .....	Tabled April 19.....
592	Mar. 6	Sollitt.....	"An Act providing for the protection and safety of persons in and about the construction, repairing, alteration, or removal of buildings, bridges, viaducts, and other structures, and to provide for the enforcement thereof" .....	A law.....
593	Mar. 6	Sollitt.....	"An Act to provide for the establishment of a Department of Factory Inspection, providing for the appointment of factory inspectors, and an attorney for the department, and prescribing their duties, and to repeal all Acts or parts of Acts in conflict therewith" .....	A law.....

## House Synopsis—Continued.

When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
4 Mar. 6	Zinger.....	"An Act to amend sections 1, 2 and 3 of 'An Act for the relief of the blind,' approved May 11, 1903, in force July 1, 1903' .....	Tabled April 4.....
5 Mar. 6	Zinger.....	"An Act to provide for the election of town clerks in counties under township organization (except in the county of Cook), to fix their term of office and to classify them according to their terms" .....	Tabled .....
6 Mar. 6	Bolin.....	"An Act to amend section 1 of an Act entitled, 'An Act for the protection of game, wild fowl and birds, and to repeal certain Acts relating thereto,' approved April 28, 1903, in force July 1, 1903, as amended by Act approved May 18, 1905, in force July 1, 1905" .....	Tabled .....
7 Mar. 7	Committee on Judiciary....	"An Act to amend sections 3 and 5 of an Act entitled, 'An Act to indemnify the owners of sheep in cases of damages committed by dogs,' approved May 29, 1879, in force July 1, 1879, as amended by Act approved and in force May 30, 1881, as amended by Act approved April 21, 1899, and in force July 1, 1899" .....	Tabled in Senate.....
8 Mar. 7	Committee on Miscellaneous subjects	"An Act to amend sections 4, 5, 6, 8 and 14 of an Act entitled, 'An Act to regulate the practice of pharmacy in the State of Illinois, to make an appropriation therefor and to repeal certain Acts therein named,' approved May 11, 1901, in force July 1, 1901, as amended by Act approved May 13, 1903, in force July 1, 1903" .....	Tabled .....
9 Mar. 7	Fish and Game	"An Act entitled, 'An Act to encourage the propagation and cultivation and to secure the protection of fishes in all the waters under the jurisdiction of the State of Illinois, defining the duties of fish commissioners, fixing their compensation and providing penalties for the violation thereof' .....	Tabled April 5.....
10 Mar. 7	Municipal Corporations...	"An Act entitled, 'An Act to promote the safety and health of employees and passengers upon street and interurban railroads' .....	Tabled in Senate.....

## House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
601	Mar. 7	Coyle.....	"An Act to regulate the employment of veterans of the Civil war in the State, counties and villages of Illinois, whether under the civil service law or otherwise" .....	Tabled .....
602	Mar. 7	Coyle.....	"An Act requiring the owners of lands lying and being in counties not under township organization, and not within the limits of a municipal corporation, to destroy or mow grass, weeds, brush and plants in the public highway passing over same, or upon which such lands abutts" .....	Tabled .....
603	Mar. 7	Kittleman.....	"An Act to provide a charter for the city of Chicago, to consolidate in the government of said city, the powers now vested in the local authorities having jurisdiction within the territory of said city, and to enlarge the rights and powers of said city" .....	Tabled May 2.....
604	Mar. 7	Kittleman .....	"An Act relative to the tenure of office of the ministerial officers of the municipal court of the city of Chicago" .....	Tabled .....
605	Mar. 7	Kittleman.....	"An Act relative to the dispensing of intoxicating liquors by social organizations, within the city of Chicago" .....	Tabled .....
606	Mar. 7	Kittleman.....	"An Act relative to the observance of Sunday in the city of Chicago"....	Tabled May 2.....
607	Mar. 7	Kittleman.....	"An Act relative to the time of holding elections for the offices of the municipal court of the city of Chicago" .....	Tabled .....
608	Mar. 7	Cermack .....	"An Act restricting the erection of structures for advertising purposes near parks and boulevards"....	Tabled .....
609	Mar. 7	Kittleman.....	"An Act to repeal section 2 of an Act entitled, 'An Act concerning the levy and extension of taxes, approved May 9, 1901, in force July 1, 1901, as amended by an Act approved March 29, 1905, in force July 1, 1905'" .....	Vetoed .....
610	Mar. 8	McGoorty.....	"An Act entitled 'An Act concerning corporations with banking powers'" .....	Tabled .....



*House Synopsis—Continued.*

When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
Mar. 8	Parker .....	"An Act to regulate the construction and maintenance of tenement, lodging and boarding houses, and to provide for the enforcement thereof" .....	Tabled .....
Mar. 8	Daugherty ....	"An Act to provide for party nominations by direct vote" .....	Tabled .....
Mar. 8	Fitch .....	"An Act to prohibit misrepresentations by life insurance companies" .....	Tabled .....
Mar. 8	Schaefer .....	"An Act to amend an Act entitled 'An Act to revise the law in relation to criminal jurisprudence,' approved March 27, 1874, in force July 1, 1874, by adding a new section thereto to be known as section 35a" .....	Tabled .....
Mar. 8	Murray .....	"An Act to define the official pronunciation of the name of the State of Illinois" .....	Tabled .....
Mar. 8	Fieldstack ....	"An Act requiring and establishing a premium reserve fund for the protection of the holders of the obligations of every guaranty, surety and fidelity company transacting business in this State" .....	Tabled .....
Mar. 8	Pierson .....	"An Act to enable cities, villages, incorporated towns, park districts and boards of park commissioners to acquire lands for parks, boulevards and pleasure driveways and granting to them for such purposes the bed of, and submerged lands under, the public waters that are not navigable of any lake that does not lie wholly within the limits of this State" .....	Tabled May 3 .....
Mar. 8	McLaughlin ..	"An Act making an appropriation for the Illinois Industrial Home for the Blind" .....	Tabled .....
Mar. 8	Provine .....	"An Act to amend sections 3 and 11 of an Act entitled 'An Act to regulate the civil service of the State of Illinois,' approved May 11, 1905, in force July 1, 1905" ..	Tabled .....

## House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
620	Mar. 8	Bush .....	"An Act to regulate the installation and maintenance of certain electrical wires and apparatus, to facilitate its enforcement by creating a Department of Electrical Inspection, defining its duties, and prerogatives, making an appropriation therefor, and providing for the punishment of violators of its provisions, to require cities, towns and villages to enforce the provision of this Act within their borders and prescribe rules and regulations for safe electrical wiring and apparatus, to provide for the appointment of competent electrical inspectors to enforce said rules and regulations, to permit the collection of fees for inspection work to enable cities, towns and villages to contract with the Department of Electrical Inspection for the services of a competent electrical inspector, and create the office of Electrical Inspector or City Electrician, and to enable cities, towns and villages to provide adequate punishment for violations of their electrical inspection ordinances, repealing all laws in conflict therewith" .....	Tabled .....
621	Mar. 8	Flannigen ....	"An Act to amend section 3 of an Act entitled, 'An Act providing for the inspection of equipment and operation of safety appliances on railroads engaged in moving traffic between points in the State of Illinois'". .....	Tabled .....
622	Mar. 8	Gillespie ....., (by request)	"An Act to amend section 1 of an Act entitled 'An Act for the protection of game, wild fowls and birds, and to repeal certain Acts relating thereto,' approved April 28, 1903, in force July 1, 1903" ..	Tabled .....
623	Mar. 8	Clapsaddle....	"An Act defining the status of persons soliciting life insurance" ....	Tabled .....
624	Mar. 8	Sollitt.....	"An Act to provide for the protection of the public from fire, and providing for the enforcement thereof" .....	Tabled .....
625	Mar. 8	Sollitt.....	"An Act prescribing the manner of construction and alteration of theaters and other auditoriums and halls for public entertainments; prescribing the powers and duties of the Chief State Factory Inspector in relation thereto, and providing for the enforcement thereof" .....	Tabled .....

*House Synopsis—Continued.*

When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
26 Mar. 12	Allison .....	"An Act regulating the manufacture and sale of patent or proprietary drugs and medicines" .....	Tabled .....
27 Mar. 12	Allison .....	"An Act to prevent the sale of drinks or beverages containing certain substances and providing a penalty for the violation thereof" .....	Tabled .....
28 Mar. 12	Boulware .....	"An Act for the listing and assessing of the funds of fraternal beneficiary societies and associations, not carried on or operated for pecuniary profit" .....	Tabled .....
29 Mar. 12	Boulware .....	"An Act to amend an Act entitled 'An Act for the assessment of property and providing the means therefor, and to repeal a certain Act therein named,' approved February 25, 1898, in force July 1, 1898, by adding thereto a new section to be known as section 8a" .....	Tabled .....
30 Mar. 12	Boulware .....	"An Act to prevent extortion and unjust discrimination in the rates, charges or tolls for the commodities or utilities furnished by the owner or owners, or lessee or lessees, of any public utility franchise, and to punish the same, and prescribe a mode of procedure and rules of evidence in relation thereto" .....	Tabled .....
31 Mar. 12	Browne .....	"An Act to establish a board of commissioners to regulate and control corporations organized for the purpose of providing water, light, heat, transportation or oral communication by electricity in cities incorporated towns or villages, or between the same, upon, over, under or along streets, alleys, roads or highways, or other public places in this State" .....	Tabled .....
32 Mar. 12	Campbell .....	"An Act to amend section 20 of an Act entitled 'An Act concerning fees and salaries, and to classify the several counties of this State with reference thereto,' approved March 29, 1872, in force July 1, 1872, (L. 1871-2, p. 420) title as amended by Act approved March 28, 1874, in force July 1, 1874" .....	Tabled .....
33 Mar. 12	Corcoran .....	"A Act to amend section 1 of an Act entitled, 'An Act to authorize the election of police magistrates in towns, cities and villages where the same are not now provided for by law,' approved and in force April 13, 1875" .....	A law .....

*House Synopsis—Continued.*

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
634	Mar. 12	Danaher .....	"An Act to require corporations, companies or individuals who employ agents, servants or employes, to permit the investigation of accidents involving personal injury to any such agent, servant or employe, by his or her representative, and to enter upon the premises where the accident occurred for such purpose" .....	Tabled .....
635	Mar. 12	Danaher .....	"An Act making it a felony for any corporation, association, co-partnership, person or persons to furnish by means of telegrams, telephone or private wire, market quotations for the pretended buying or selling of shares of stock or bonds of any corporation, or petroleum, cotton, grain, provisions or other produce, either on margins or otherwise" ..	Tabled .....
636	Mar. 12	Danaher .....	"An Act to provide for the placing of low water alarms on steam boilers, and providing a penalty for non-compliance with the same" ..	Tabled .....
637	Mar. 12	Finnan .....	"An Act to amend an Act entitled 'An Act in relation to fencing and operating railroads,' approved March 31, 1874, in force July 1, 1874, by the addition of two sections to be known as sections 21a and 21b" .....	Tabled .....
638	Mar. 12	Flannigen ....	"An Act to amend sections 1 and 2 of an Act entitled 'An Act to amend an Act entitled, 'An Act to regulate public warehouses and the warehousing and inspection of grain and to give effect to article 13 of the Constitution of the State,' approved April 25, 1871, in force July 1, 1871, and to establish a committee of appeal and prescribe their duties,' approved April 15, 1873, in force July 1, 1873" ..	Tabled .....
639	Mar. 12	Gibbons .....	"An Act to prohibit the mixing or blending of certain grades of coal with each other, or with any different substances, and to prohibit the sale thereof, and to provide a penalty for the violation thereof" ..	Tabled .....
640	Mar. 12	Gibbons .....	"An Act to prevent the manufacture and sale of adulterated lard or substances represented as lard" ..	Tabled .....

## House Synopsis—Continued.

When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
41. Mar. 12	Hollenbeck ..	"An Act to amend section 6 of an Act entitled 'An Act to amend an Act concerning circuit courts and to fix the time for holding the same in the several counties in the judicial circuits of the State of Illinois, exclusive of the county of Cook,' approved May 24, 1879, in force July 1, 1879, as amended by an Act approved June 11, 1897, in force July 1, 1897, as amended by Act approved May 14, 1903, in force July 1, 1903" .....	A law.....
42. Mar. 12	Hull..... (by request)	"An Act in regard to warehouse receipts" .....	A law.....
43. Mar. 12	Ireland.....	"An Act to amend an Act entitled 'An Act to enable cities and villages to build, acquire and maintain bridges, and ferries outside of their corporate limits and to control the same,' approved and in force May 5, 1879, as amended by an Act approved May 25, 1881, and in force July 1, 1881, and to enable cities and villages to issue bonds to pay for such bridges, ferries and approaches and to pledge such bridges, ferries and approaches and the income therefrom for the payment of such bonds and the interest thereon" .....	Tabled April 18.....
44. Mar. 12	Landmesser ..	"An Act to regulate the construction, operation and application of electric power and appliances to all street railways, interurban and elevated railroads and all railroads operated by electricity" .....	Tabled .....
45. Mar. 12	Landmesser ..	"An Act to remove overhead trolley wires and to place them underground in cities of ten thousand inhabitants and over, and to provide a penalty for the violation thereof" .....	Tabled .....
46. Mar. 12	Lewis..... (by request)	"An Act to amend section 29 of an Act entitled 'An Act for the assessment of property and providing the means therefor, and to repeal a certain Act therein named,' approved February 25, 1898, in force July 1, 1898, as amended by an Act of May 18, 1905" .....	A law.....
47. Mar. 12	McGoorty.....	"An Act to amend sections 9, 12, 15, and 17 of an Act entitled, 'An Act in relation to a municipal court in the city of Chicago,' approved May 18, 1905" .....	Tabled .....
48. Mar. 12	McGoorty.....	"An Act to fix the number and provide for the election of judges of the Superior Court of Cook county" .....	Tabled .....



## House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
649	Mar. 12	Mills ..... (by request)	"An Act to amend section 4 of an Act entitled, 'An Act concerning land titles,' approved and in force May 1, 1897" .....	Tabled in Senate.....
650	Mar. 12	Pattison .....	"An Act declaring theatres, playhouses, opera houses and other show buildings, by whatever name known to be public places of amusement; to prevent the owners, lessees, managers and agents thereof from discriminating against persons, stock companies, corporations or others applying to lease or rent such public places of amusement for productions and renditions of dramas, operas and other shows by whatever name known; to provide for the keeping and exhibiting of bookings of all leasing and letting of such houses; to require certain stipulations in all subsequent leases and renewals for a term; providing penalties for violations of the provisions of this Act" .....	Tabled .....
651	Mar. 12	Pierson ..... (by request)	"An Act to prevent fraud in the advertising and sale of stocks and bonds of incorporated companies and associations; for a system of registration of stocks and bonds of incorporated companies and associations advertised or offered for sale, and imposing punishment for the violation of any of its provisions" .....	Tabled .....
652	Mar. 12	Provine ..... (by request)	"An Act to amend an Act entitled 'An Act to provide for drainage for agricultural and sanitary purposes, and to repeal certain Acts therein named,' approved June 27, 1885, in force July 1, 1885, by inserting in said Act section 76 and to legalize all proceedings had and drainage districts organized by virtue of the provisions and under the procedure, as set out and directed in section 76 of said Act, as originally enacted" .....	Tabled .....
653	Mar. 12	Reynolds..... (by request)	"An Act to regulate the public service of stallions in Illinois" .....	Tabled .....
654	Mar. 12	Sheldon..... (by request)	"An Act to entitle Chicago women to vote for municipal officers and measures" .....	Tabled May 2.....
655	Mar. 12	Smith.....	"An Act to amend an Act to revise the law in relation to weights and measures," approved February 27, 1874, in force July 1, 1874, by adding thereto two new sections, to be numbered 15 and 16" .....	Tabled .....
656	Mar. 12	Smith.....	"An Act to prevent injuries from the mistaken use of gasoline or other inflammable fluids" .....	Tabled .....

## House Synopsis—Continued.

o.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
57	Mar. 12	Speaker.....	"An Act to repeal an Act entitled 'An Act providing for an expression of opinion by electors on questions of public policy at any general or special election,' approved May 11, 1901, in force July 1, 1901" .....	Tabled .....
58	Mar. 12	Landmesser ..	"An Act to amend section 18 of an Act in regard to the administration of estates,' approved April 1, 1872, in force July 1, 1872, as amended by Act approved May 12, 1905, in force July 1, 1905" ....	Tabled .....
59	Mar. 12	Link .....	"An Act to provide for a survey of Cahokia Creek, in Madison and St. Clair counties, by the Geological Surveying commission" .....	Tabled April 25.....
60	Mar. 13	Abrahams.....	"An Act providing for the sanitation of all food producing establishments, the health of the operatives and the purity and wholesomeness of the products of such establishments, and providing for the enforcement thereof" .....	Tabled .....
61	Mar. 13	Adkins..... (by request)	"An Act to amend section three (3) of 'An Act to provide for the sale of personal property by common carriers, warehousemen and innkeepers, and by others having liens thereon,' approved March 28, 1874, in force July 1, 1874, as amended by Act approved May 13, 1879, in force July 1, 1879, title as amended by Act approved May 13, 1879, in force July 1, 1879" ....	Tabled .....
62	Mar. 13	AdMadoc..... (by request)	"An Act to amend section 1 of an Act entitled 'An Act concerning aliens, and to regulate their right to hold real and personal estate, and to ratify and confirm titles derived through and under aliens and to protect the titles of citizens from forfeiture, and to limit the time for recovery of land derived by citizens through or under aliens,' approved May 14, 1897, in force July 1, 1897" .....	Tabled .....
63	Mar. 13	ApMadoc..... (by request)	"An Act to amend section 1 of an Act entitled, 'An Act to revise the law in relation to joint rights and obligations,' approved February 25, 1874, in force July 1, 1874" .....	Tabled .....
64	Mar. 13	ApMadoc..... (by request)	"An Act to prevent the scalping of tickets for places of amusement, and defining the punishment therefor" .....	Tabled .....

## House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
665	Mar. 13	Boulware.....	"An Act in relation to contracts between municipal corporations and persons and corporations engaged in furnishing public utilities" ....	Tabled .....
666	Mar. 13	Blair.....	"An Act prohibiting the publication and distribution of information concerning horse races" .....	Tabled .....
667	Mar. 13	Blair.....	"An Act making it unlawful for a corporation to engage in the practice of law" .....	Tabled .....
668	Mar. 13	Bush .....	"An Act to amend an Act entitled 'An Act to secure the collection and publication of agricultural and other statistics,' approved and in force May 25, 1877, by adding thereto a new section to be known as section 27a" .....	Tabled April 19.....
669	Mar. 13	Covey .....	"An Act making an appropriation for dredging, clearing, and improving Fox river in the State of Illinois".	Tabled .....
670	Mar. 13	Coyle.....	"An Act to amend section 6 of an Act entitled 'An Act for the establishment and maintenance of a Normal University,' approved and in force February 18, 1857"....	Tabled .....
671	Mar. 13	Curran .....	"An Act to regulate the use, in cities of one hundred thousand inhabitants and over, of dangerous currents of electricity, and to compel all persons, companies or corporations using electric currents of three hundred volts and over, to place underground all wires and cables conducting such currents and to provide penalties for the violation of its provisions".....	Tabled .....
672	Mar. 13	Curran .....	"An Act providing for extending the power of the Board of Railroad and Warehouse Commissioners of the State of Illinois over electric railroad companies" .....	Tabled .....
673	Mar. 13	Danaher.....	"An Act declaring void assignments and transfers of wages or salaries to be earned in the future, and making certain Acts in violation of this Act misdemeanors, and prescribing punishment therefor" ....	Tabled .....
674	Mar. 13	Danaher.....	"An Act to cause the forfeiture of the charter of corporations violating the gambling Act" .....	Tabled .....

## House Synopsis—Continued.

When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
75	Mar. 13 Donoghue.....	"An Act to amend section 39, chapter 86 of an Act entitled 'An Act to revise the law in relation to idiots, lunatics, drunkards, and spendthrifts,' approved March 26, 1874, in force July 1, 1874'.....	Tabled .....
76	Mar. 13 English.....	"An Act fixing the fees of justices of the peace and police magistrates in certain cases and providing for the payments of such fees, and for the repeal of all Acts and parts of Acts in conflict herewith".....	Tabled .....
77	Mar. 13 English.....	"An Act making it the duty of counties under township organization and towns in counties under township organization to build, construct and maintain approaches to bridges located on or near town and county lines" .....	A law.....
78	Mar. 13 Erby .....	"An Act to provide for the health and comfort of employes and passengers and to prevent the spread of contagious diseases on all railway coaches, sleeping cars and public buildings operated by railway companies in the State of Illinois" .....	Tabled .....
79	Mar. 13 Erby .....	"An Act to provide for the health and comfort of employes, scholars, teachers, attendants, patrons and inmates, and to prevent the spread of contagious diseases in factories, mercantile establishments, mills, workshops, offices, schools, colleges, all institutions of learning, theatres, public halls, court rooms, churches and public institutions, hotels, restaurants, clubs, eating establishments, bakeries, baking rooms, dairies, milk depots, penal and State institutions" .....	Tabled .....
80	Mar. 13 Fieldstack .....	"An Act providing for submitting to the electors of municipalities, for their adoption or rejection, the legislative enactment of the law making bodies of said municipalities".	Tabled .....
81	Mar. 13 Fieldstack .....	"An Act authorizing the electors of municipalities to propose laws by petition, and to enact the same by a direct vote of such electors".....	Tabled .....
82	Mar. 13 Foster.....	"An Act to amend sections 1 and 25 of an Act entitled, 'An Act for the protection of game, wild fowl and birds, and to repeal certain Acts relating thereto,' approved April 28, 1903, in force July 1, 1903, as amended by an Act approved May 18, 1905, in force July 1, 1905" .....	Tabled .....

## House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
683	Mar. 13	Finnan.....	"An Act to amend section 76 of an Act entitled 'An Act to provide for drainage for agricultural and sanitary purposes,' and to repeal certain Acts therein named," approved June 27, 1885, in force July 1, 1885; as amended by an Act approved May 11, 1901, in force July 1, 1901; as amended by an Act approved May 18, 1905, in force July 1, 1905" .....	Tabled .....
684	Mar. 13	Geshkewich...	"An Act relating to the manufacture of butterine and ice cream" ....	A law.....
685	Mar. 13	Geshkewich...	"An Act in relation to corporations furnishing electricity for purposes of light, heat, fuel or power in cities having a population of one hundred thousand inhabitants or over" .....	Tabled .....
686	Mar. 13	Geshkewich...	"An Act to remove overhead wires and to place them underground in cities of fifty thousand inhabitants and over, and to provide penalties for the violation of this provision" .....	Tabled .....
687	Mar. 13	Gibbons.....	"An Act to make the taking or receiving of usury a misdemeanor and fixing the punishment therefor" .....	Tabled .....
688	Mar. 13	Gillespie .....	"An Act to amend sections 1, 2, 3, 4, 5, 6, 10, 12, 16, 18, 25 and 31 of an Act entitled, 'An Act for the protection of game, wild fowl and birds, and to repeal certain Acts relating thereto,' approved April 28, 1903, in force July 1, 1903, as amended by an Act approved May 18, 1905, in force July 1, 1905"...	A law.....
689	Mar. 13	Haase.....	"An Act to regulate the manufacture and sale of condensed milk".....	Tabled .....
690	Mar. 13	Haase .....	"An Act to prohibit the manufacture and sale of imitation butter"....	Tabled .....
691	Mar. 13	Hearn.....	"An Act to enable towns, the boundaries of which are co-extensive with cities, to build or purchase a town hall, and a site for the same, to levy a tax, and to issue bonds therefor" .....	A law.....
692	Mar. 13	Hollenbeck...	"An Act to amend section 11 of an Act entitled 'An Act to revise the law in relation to the Supreme Court,' approved March 23, 1874, in force July 1, 1874" .....	A law.....



*House Synopsis—Continued.*

When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
93 Mar. 13	Hurst	"An Act to list real estate mortgages, conveyances or other instruments or writings constituting a lien or other security for any note or other evidence of indebtedness with the clerk of the county court of the county where the real estate described therein is located for the purpose of taxation, and for the reduction of the assessed valuation of property so encumbered by the amount of such evidenced indebtedness as remains unpaid on the first day of April of each year; providing, that no reduction shall be allowed greater than one-half of the assessed valuation of the real estate so encumbered, and fixing certain penalties for the violation thereof" .....	Tabled April 25.....
94 Mar. 13	Kerrick	"An Act to amend section 86 of an Act entitled, 'An Act to extend the jurisdiction of county courts and to provide for the practice thereof, to fix the time for holding the same, and to repeal an Act therein named,' approved March 26, 1874, in force July 1, 1874, as amended by an Act approved April 13, 1875, in force July 1, 1875" .....	A law.....
95 Mar. 13	Kerrick	"An Act to amend section 118, of an Act in regard to roads and bridges in counties under township organization, and to repeal an Act and parts of Acts therein named, approved June 23, 1883, in force July 1, 1883" .....	Tabled April 19.....
96 Mar. 13	Kowalski	"An Act to prevent unjust discrimination in rates charged for gas and electric light and power, providing certain remedies and penalties, and rule of construction".	Tabled .....
97 Mar. 13	Lane (by request)	"An Act to amend the criminal code respecting the mode of inflicting capital punishment, by substituting electrocution for hanging"....	Tabled .....
98 Mar. 13	Levere (by request)	"An Act to pay the expense of collecting the direct tax of 1861 from the United States" .....	Tabled April 10.....
99 Mar. 13	Lewis	"An Act to amend section 30 of an Act entitled 'An Act for the assessment of property and providing the means therefor, and to repeal a certain Act therein named,' approved February 25, 1898, in force July 1, 1898, as amended by an Act approved and in force May 11, 1901" .....	Vetoed .....

## House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
700	Mar. 13	Luke.....	"An Act to prevent and punish the fraudulent sale of stale food in metallic cans" .....	Tabled .....
701	Mar. 13	Luke.....	"An Act for the regulation of any person or persons, firm or company, receiving deposits and not organized as banks under the general banking laws of this State" .....	Tabled .....
702	Mar. 13	McBride.....	"An Act to amend an Act entitled 'An Act to revise the law in relation to oil inspection,' approved March 12, 1874, in force July 1, 1874" .....	Tabled .....
703	Mar. 13	McBride.....	"An Act to amend section 4 of an Act of the General Assembly of the State of Illinois entitled 'An Act to regulate the manufacture, transportation, use and sale of explosives, and to punish an improper use of the same,' approved June 16, 1887, and in force July 1, 1887, and amended by an Act of the General Assembly of the State of Illinois approved May 28, 1889, and in force July 1, 1889" .....	Tabled .....
704	Mar. 14	McBride.....	"An Act to define and establish the liability of persons, associations and corporations owning, controlling and operating electric light, heat and power plants for the propelling of street cars, for injuries to the person, and for deaths and destruction of property caused by reason of any wrongful act, neglect or default of such persons, associations or corporations" .....	Tabled .....
705	Mar. 13	McLaughlin...	"An Act to provide for the location, erection, organization and management of a State sanitarium for persons afflicted with tuberculosis, making applicable thereto, 'An Act to regulate the State charitable institutions and the State reform school, and to improve their organization and increase their efficiency,' approved April 15, 1875, and making an appropriation for the purchase of land and the construction of the necessary buildings and the maintenance of the sanitarium" .....	Tabled .....
706	Mar. 13	McNally.....	"An Act to amend section one of an Act entitled 'An Act in regard to judgments and decrees, and the manner of enforcing the same by execution and to provide for the redemption of real estate sold under execution or decree,' approved March 22, 1872, in force July 1, 1872" .....	Tabled .....

## House Synopsis—Continued.

When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
Mar. 13	McNally.....	"An Act to amend section 18 of an Act entitled 'Guardian and Ward,' approved April 10, 1872, in force July 1, 1872" .....	Tabled .....
Mar. 13	McNichols .....	"An Act to regulate the operation of cars and trains upon elevated railroads and providing for a penalty for the violation thereof" .....	Tabled .....
Mar. 13	McRoberts .....	"An Act to amend section 1 of an Act entitled 'An Act in relation to the crossing of one railway company by another and to prevent danger to life and property from grade crossings,' approved May 27, 1889, in force July 1, 1889" ..	Tabled .....
Mar. 13	Mills .....	"An Act to amend sections 11, 18, 48, 93, 94 and 108 of an Act entitled 'An Act concerning land titles,' approved and in force May 1, 1897, and to repeal sections 70, 71, 72, 73, 74, 75, 76, 77, 78 and 79 of the same Act, and to add three new sections to be known as sections 70, 71 and 72" .....	A law .....
Mar. 13	Navigato.....	"An Act to make void the assignment of unearned wages, salary or commissions" .....	Tabled .....
Mar. 13	Navigato.....	"An Act to amend section 2 of an Act entitled 'An Act requiring compensation for causing death by wrongful act, neglect or default,' approved February 12, 1853, in force February 12, 1853, and as amended and approved May 13, 1903, in force" .....	Tabled .....
Mar. 13	Oglesby.....	"An Act creating a commission to secure title to a site and to prepare plans and specifications for a building thereon, in the city of Chicago, in which to transact the public business of the State, and making an appropriation therefor" ..	Vetoed .....
Mar. 13	Parker .....	"An Act making an appropriation to repair bridges over the Illinois and Michigan canal at points where highways existed prior to the construction of said canal, and to pay for repairs made by various parties and corporate authorities other than the State of Illinois" ..	Vetoed .....
Mar. 13	Powers.....	"An Act to add three new sections to be known as sections 33, 34 and 35 to an Act entitled 'An Act to incorporate and govern fire, marine and inland navigation insurance companies doing business in the State of Illinois,' approved and in force March 11, 1869, and Acts amendatory thereto" .....	Tabled .....

## House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
716	Mar. 13	Powers.....	"An Act to amend section 5 of an Act entitled 'An Act to regulate the traffic in deadly weapons and prevent the sale of them to minors,' approved April 16, 1881, in force July 1, 1881" .....	Tabled April 19...
717	Mar. 13	Powers.....	"An Act to amend section 237 of an Act entitled 'An Act to revise the law in relation to criminal jurisprudence,' approved March 27, 1874, in force July 1, 1874, and all Acts amendatory thereof" ....	Tabled .....
718	Mar. 13	Richardson....	"An Act to amend section 142 of an Act entitled 'An Act to revise the law in relation to criminal jurisprudence,' approved March 27, 1874, and in force July 1, 1874" ..	Tabled .....
719	Mar. 13	Richardson....	"An Act to regulate the sale of spirituous or malt liquors" .....	Tabled .....
720	Mar. 13	Richardson....	"An Act granting women the right to vote for presidential electors, and certain other officers, and to participate and vote in certain matters and elections" .....	Tabled April 18.
721	Mar. 13	Schaefer .....	"An Act relating to and regulating appointees and employes of courts of record and of justices and judges thereof" .....	Tabled .....
722	Mar. 13	Schaefer .....	"An Act to amend an Act entitled 'An Act to amend an Act entitled 'An Act for the protection of passengers on railroads, approved May 14, 1877, in force July 1, 1877,' approved May 29, 1879, in force July 1, 1879; by adding a new section thereto to be known as 'section 5' authorizing certain public officers to ride free of charge on railroads" .....	Tabled .....
723	Mar. 13	Schermerhorn (by request)	"An Act regulating the manufacture, marking and sale of articles of merchandise manufactured in whole or in part of gold or of silver or any alloy or imitation thereof and prescribing penalties" .....	Tabled .....
724	Mar. 13	Schermerhorn (by request)	"An Act to amend section 1 of article 7 of an Act entitled 'An Act to revise the law in relation to town-ship organizations,' approved and in force March 4, 1874, as amended by Act approved June 15, 1887, in force July 1, 1887, as amended by Act approved May 10, 1901, in force July 1, 1901" .....	Tabled .....

## House Synopsis—Continued.

When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
Mar. 13	Smejkal..... (by request)	"An Act to amend an Act entitled 'An Act to provide for and fix the salary of the judges of the supreme court,' approved May 16, 1905, in force July 1, 1905, by adding thereto a section to be known as 'section 1a'".....	Tabled in Senate.....
Mar. 13	Sollitt.....	"An Act to prevent the destruction of or the cutting of branches from trees upon the public highways of this State" .....	Tabled .....
Mar. 13	Sollitt.....	"An Act to suppress unauthorized persons from securing applications, money, or conferring the degrees of fraternal orders, societies, associations or organizations, and to suppress the fraudulent use of the names of said bodies" .....	Tabled .....
Mar. 13	Sollitt.....	"An Act to provide for testing the sight and hearing of pupils in public schools, and making an appropriation therefor" .....	Tabled .....
Mar. 13	Staymates ....	"An Act to authorize the commissioners of highways in any township in counties under township organization and the commissioners of highways or boards of county commissioners in counties not under township organization to maintain earth roads with a drag and to contract for the use of the same and to provide penalties for any injury to the work done" ....	Tabled April 19... ..
Mar. 13	Walsh.....	"An Act to compel corporations operating interurban electric railroads outside the limits of incorporated cities and towns to sound certain alarms at grade crossings" .....	Tabled .....
Mar. 13	Werdell..... (by request)	"An Act to facilitate the insurance of employes against the consequence of accidents resulting in personal injury or death, and to permit agreements between employers and employes with reference to such accidents" .....	Tabled .....
Mar. 13	York .....	"An Act for the protection of game, wild fowl and birds, and to repeal certain other acts concerning the same subjects" .....	Tabled .....
Mar. 13	Zaabel.....	"An Act to establish a reasonable maximum rate of charges for the use of telephones in cities of 100,000 inhabitants or over, and to punish violators of this law and prescribing a mode of procedure and rules of evidence in relation thereto." .....	Tabled .....



## House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
734	Mar. 13	Allison	"An Act to amend section 8 of an Act entitled 'An Act to regulate the practice of pharmacy in the State of Illinois, to make an appropriation therefor and to repeal certain acts therein named,' approved May 11, 1901, in force July 1, 1901, as amended by an Act amendatory thereof and supplemental thereto, approved May 13, 1903, in force July 1, 1903, and to add another section to be known as section fifteen and one-half, providing for an appropriation for the carrying out of said Act"	Tabled
735	Mar. 13	Committee on Judiciary	"An Act to provide for the creation by popular vote of anti-saloon territory, within which the sale of intoxicating liquor and the licensing of such sale shall be prohibited and for the abolition by like means of territory so created"	Tabled
736	Mar. 15	Allison	"An Act to require an annual apportionment and accounting of surplus of life insurance companies and the maintenance of a contingent reserve by such companies"	Tabled
737	Mar. 15	Allison	"An Act to amend section 14 of an Act entitled 'An Act to organize and regulate the business of life insurance,' approved March 26, 1869, in force July 1, 1869, and all Acts amendatory thereto."	Tabled
738	Mar. 15	Allison	"An Act to protect the public from imposition in relation to canned and preserved food and other articles of food"	Tabled
739	Mar. 15	Allison	"An Act to promote the public health by restricting and regulating the sale of foods containing chemical preservatives"	Tabled
740	Mar. 15	Blair	"An Act to regulate the transportation of oil by means of pipe lines"	Tabled
741	Mar. 15	Cermak	"An Act to amend section 42 of an Act entitled 'An Act concerning local improvements,' approved June 14, 1897, in force July 1, 1897, as amended by Act approved May 14, 1903, in force July 1, 1903"	Tabled April 18
742	Mar. 15	Coyle	"An Act to create an Educational Commission, to define its powers and duties and to make an appropriation therefor"	A law

House Synopsis—Continued.

When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
Mar. 15	Coyle.....	"An Act to provide for the contribution from interest on public funds to pension funds of retired, disabled, or superannuated public servants in cities having a population exceeding one hundred thousand inhabitants" .....	Tabled April 10.....
Mar. 15	Coyle.....	"An Act to amend an Act entitled 'An Act to provide for the formation and disbursement of a Public School Teachers' and Public School Employes' pension and retirement fund in cities having a population exceeding one hundred thousand inhabitants,' approved May 31, 1895, as amended by an Act approved May 11, 1901" .....	Tabled April 10.....
Mar. 15	Covey.....	"An Act to amend section 3 of an Act entitled 'An Act to regulate public warehouses and the warehousing and inspection of grain, and to give effect to article 13 of the Constitution of the State,' approved April 25, 1871, in force July 1, 1871, and to establish a committee of appeal, and prescribe their duties,' approved April 15, 1873, in force July 1, 1873" .....	A law.....
Mar. 15	Covey.....	"An Act to amend section 1 of an Act providing for the issuing and cancellation of receipts for public warehouses, or warehouses of class A or class B, in the State of Illinois and providing penalties for violation thereof,' approved May 1, 1901, in force July 1, 1901" ....	A law.....
Mar. 15	Covey.....	"An Act to amend sections 3, 4, 6 and 14 of 'An Act to regulate public warehouses, and the warehousing and inspection of grain, and to give effect to article 13 of the Constitution of this State,' approved April 25, 1871, in force July 1, 1871" .....	Tabled .....
Mar. 15	Church ..	"An Act to amend section 3 of an Act entitled 'An Act to provide for the visitation of children placed in family homes,' approved May 13, 1905, and in force July 1, 1905" .....	Tabled .....
Mar. 15	Canada .....	"An Act to amend section 214 of an Act entitled 'An Act for the assessment of property and for the levy and collection of taxes,' approved March 30, 1872, in force July 1, 1872" .....	Tabled .....
Mar. 15	Dysert. ....	"An Act to amend section 119 of chapter 37 of the Revised Statutes of the State of Illinois in relation to the procurement of jurors and the trial of cases in the county courts of Illinois".....	Tabled .....

## House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
751	Mar. 15	McBride.....	"An Act to amend section 4 of an Act entitled 'An Act concerning local improvements,' approved June 14, 1897, and as amended by an Act of the General Assembly of the State of Illinois, approved April 19, 1899, and in force July 1, 1899, and as amended by an Act of the General Assembly of the State of Illinois, approved May 18, 1905, in force July 1, 1905".....	Tabled .....
752	Mar. 15	McBride.....	"An Act to amend section 6 of an Act entitled 'An Act concerning local improvements,' approved June 14, 1897, in force July 1, 1903, as amended by Act approved and in force April 13, 1905, as amended by an Act in force July 1, 1905".....	Tabled .....
753	Mar. 15	Landmesser...	"An Act to regulate the manufacture, brewing and sale in this State of beer, ale, porter, malt tonic, malt extract, and kindred beverages, and to provide for the inspection of same" .....	Tabled .....
754	Mar. 15	Campbell.....	"An Act to amend an Act, entitled 'An Act to enable cities to establish and maintain public hospitals,' approved June 17, 1891, in force July 1, 1891" .....	Tabled April 18
755	Mar. 15	Campbell.....	"An Act to amend 'An Act to divide the State of Illinois, exclusive of the county of Cook, into judicial circuits,' approved April 23, 1897, in force July 1, 1899, by adding thereto a new section to be known as section 2a, as follows:" .....	Tabled .....
756	Mar. 15	Danaher.....	"An Act to prevent persons from advertising or holding themselves out to be fortune tellers, clairvoyants, mediums, astrologers, trans-mediums, palmists, life readers and from obtaining money by means of representations that they can read the past, present or future by means of cards, spirits, palms, stars, trances or anything of a like nature and providing a penalty therefor" .....	Tabled .....
757	Mar. 15	McNally .....	"An Act requiring certain employers to provide seats for female employes, and fixing penalties for the violation thereof" .....	Vetoed .....
758	Mar. 15	Hilton .....	"An Act to regulate the sale and analysis of concentrated feeding stuffs" .....	Tabled .....
759	Mar. 15	Pattison .....	"An Act providing for the incorporation and control of rural cemetery associations" .....	Tabled .....

## House Synopsis—Continued.

When introduced	By whom introduced.	Abstract of Title of Bill.	Disposition.
Mar. 15	Schermerhorn (by request)	"An Act prohibiting the use of hobbles and providing a penalty therefor" .....	Tabled .....
Mar. 15	Schermerhorn	"An Act to amend section 1 of article 7 of an Act to revive the law in regard to township organization" ..	Tabled .....
Mar. 15	Schermerhorn	"An Act to repeal an Act entitled 'An Act to prevent sale of merchandise in fraud of creditors,' approved May 13, 1905, in force May 1, 1905" .....	Tabled .....
Mar. 15	Lantz .....	"An Act to prevent fraud in the practice of medicine or in the sale of proprietary medicines" .....	Tabled .....
Mar. 15	Lantz .....	"An Act to regulate the use of coupon books or trading stamps in the sale of merchandise" .....	Tabled .....
Mar. 15	Lantz .....	"An Act amending section 2 of an Act entitled 'An Act to prohibit the use of clock, tape, slot or other machines or devices for gambling purposes,' approved and enforced June 25, 1905" .....	Tabled .....
Mar. 15	Lantz .....	"An Act to provide a uniform contract or policy of fire insurance to be made and issued in this State, by all insurance companies taking fire risks on property within the State" .....	Tabled .....
Mar. 15	Lantz .....	"An Act authorizing cities of 100,000 population and over, to license all wheeled vehicles and to provide for the use of such license fees" .....	Tabled .....
Mar. 15	Sullivan .....	"An Act regulating the speed and equipment of grip, horse, electric and street and interurban cars in the State of Illinois" .....	Tabled April 18 .....
Mar. 15	Fieldstack .....	"An Act repealing an Act entitled 'An Act creating an office of supervising architect of the State of Illinois defining his powers and duties,' approved April 24, 1899, in force July 1, 1899" .....	Tabled .....
Mar. 15	Fieldstack .....	"An Act making it obligatory on the part of all railroads, to furnish free transportation to all public servants" .....	Tabled .....

## House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
771	Mar. 15	Lawrence .....	"An Act to amend sections 3, 6 and 8, of an Act entitled, 'An Act to revise the relation to the Department of Agriculture, Agricultural Societies, and Agricultural Fairs, and to provide for reports of the same,' approved June 23, 1883, in force July 1, 1883, as amended by an Act approved April 24, 1899, forced July 1, 1899" .....	A law .....
772	Mar. 15	Finnan .....	"An Act to prevent fire insurance companies, their officers or agents or employees from combining to control rates of insurance or commission allowed agents" .....	Tabled .....
773	Mar. 15	Hollenbeck ..	"An Act to amend an Act entitled 'An Act to revise the law in relation to mechanics liens, to whom, and what for, and when lien is given; who is the contractor; area covered by an extent of lien; when lien attaches,' approved May 18, 1903, in force July 1, 1903" .....	Tabled in Senate.
774	Mar. 15	McBride .....	"An Act providing for the precinct election inspectors in cities, villages and incorporated towns, assigning additional duties to the election authorities requiring them to notify possible voters of time and place of registration and election and give adequate information as to the issues, and providing for the expenses thereof" .....	Tabled .....
775	Mar. 15	McBride .....	"An Act to repeal an Act entitled 'An Act to regulate and prescribe the conditions for granting of rights and privileges for lighting and heating purposes by cities, villages and incorporated towns, and providing a remedy by the property owner where such conditions have not been complied with,' approved June 5, 1897, in force July 1, 1897" .....	Tabled .....
776	Mar. 15	McBride .....	"An Act to amend an Act entitled 'An Act to regulate public warehouses and the warehousing and the inspection of grain, and to give effect to article 13 of the Constitution of this State,' approved April 25, 1871, in force July 1, 1871, as amended by 'An Act to establish a committee of appeal and prescribe their duties,' approved April 15, 1873, in force July 1, 1873, and to regulate public warehouses of class C in counties of the third class" .....	Tabled .....



## House Synopsis—Continued.

When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
Mar. 15	Bush	"An Act to ratify consolidations and mergers between two or more railroad companies organized under the laws of this State, and to confirm in the company or companies formed by such consolidation or such merger, as the case may be, during the term of their, or its corporate existence, and of any extension thereof, all the corporate rights, property franchises, privileges, and immunities, consolidated or merged or belonging or pertaining to the constituent companies, and to define the term of the corporate existence of such merged or consolidated companies and to authorize them to renew their corporate existence" .....	A law .....
Mar. 15	Lindly	"An Act to amend sections 1, 4, 5, 6, 7 and 8 of an Act entitled 'An Act to provide for the location, erection, organization and management of an asylum for the incurable insane and making an appropriation for the construction of necessary buildings,' approved June 21, 1895, in force July 1, 1895" ..	Tabled .....
Mar. 15	Schumacher	"An Act to amend section 13 of an Act entitled 'An Act for the assessment of property and for the levy and collection of taxes,' approved March 30, 1872, in force July 1, 1872, as amended by an Act in force July 1, 1905" .....	Tabled .....
Mar. 15	Gaunt (by request)	"An Act to amend an Act entitled 'An Act to organize and regulate the business of life insurance,' approved March 26, 1869, in force July 1, 1869, by addition a section to be known as section 6a" .....	A law .....
Mar. 15	Fulton	"An Act to prevent the fraudulent sale and advertising for sale of goods, wares, or merchandise and to punish the violation thereof" ..	Tabled .....
Mar. 15	Reynolds	"An Act to amend section 2 of chapter 89 entitled 'An Act to revise the law in relation to marriages,' approved February 27, 1874, in force July 1, 1874" .....	Tabled .....
Mar. 15	Flannigen	"An Act to create sanitary districts in certain localities and to drain and protect the same from overflow for sanitary purposes" .....	A law .....
Mar. 15	Gillispie	"An Act to provide for the payment of bounties for killing ground hogs" ..	A law .....

## House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
785	Mar. 15	Gillispie.....	"An Act to amend section of an Act entitled, 'An Act for the protection of game, wild fowls and birds, and to repeal certain Acts relating thereto,' approved April 28, 1903, in force July 1, 1903".....	Tabled .....
786	Mar. 15	Lane .....	"An Act concerning the sinking, safety, maintenance, use and operation of natural gas and oil wells, prescribing penalties".....	Tabled .....
787	Mar. 15	Austin.....	"An Act to regulate the employment of extra employes by the Secretary of State, during the session of the General Assembly" .....	Tabled .....
788	Mar. 15	Austin.....	"An Act relating to teachers' bureaus" .....	Tabled April 11....
789	Mar. 15	Manny.....	"An Act to amend section 1b of an Act entitled 'An Act to organize and regulate the business of life insurance,' approved March 25, 1869, in force July 1, 1869".....	Tabled .....
790	Mar. 15	Keeney .....	"An Act to amend section 1 of an Act entitled, 'An Act to confer upon the city of Chicago the power and authority to sell surplus electricity and to fix the rates and charges for the supply of gas and electricity for power, heat and lighting, furnished by any individual, company or corporation, to said city of Chicago and the inhabitants thereof,' approved May 18, 1905, in force July 1, 1905" ..	Tabled .....
791	Mar. 15	Staymates ....	"An Act to amend an Act entitled, 'An Act to revise the law in relation to mortgages of real and personal property,' approved March 26, 1874, in force July 1, 1874, by inserting therein an additional section numbered 12b" ..	Tabled .....
792	Mar. 15	Lawrence.....	"An Act to amend section 2 of an Act entitled 'An Act to provide for the holding and the regulation of primary elections of delegates to nominating conventions, for the holding of such conventions, filling vacancies and fixing penalties for the violation of the provisions thereof,' approved May 3, 1906, in force July 1, 1906" .....	Tabled .....
793	Mar. 15	Hill..... (by request)	"An Act for the relief of Henry Henke" .....	Tabled .....
794	Mar. 15	Sollitt.....	"An Act to provide for the establishment of a Department of Industries and defining the powers and duties thereof" .....	Tabled .....

## House Synopsis—Continued.

When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
Mar. 15	Troyer.....	"An Act to amend an Act entitled 'An Act to provide for the setting apart, formation and disbursement of a police pension fund in cities, villages and incorporated towns,' approved April 29, 1887, in force July 1, 1887, as amended by an Act approved April 24, 1889, in force July 1, 1889, as amended by an Act approved May 11, 1901, in force July 1, 1901, as amended by an Act approved and in force July May 16, 1903" .....	Tabled .....
Mar. 15	Link.....	"An Act creating a board for uniform school text books and to provide for the establishment and the use of a uniform series of school text books in the free schools of the State" .....	Tabled .....
Mar. 15	Levere.....	"An Act to amend section 1 of an Act entitled 'An Act making it a misdemeanor to abandon or wilfully neglect to provide for the support and maintenance by any person, of his wife or of his or her minor children, in destitute or necessitous circumstances,' approved May 13, 1903, in force July 1, 1903" ..	Tabled .....
Mar. 15	Levere.....	"An Act to amend an Act entitled 'An Act concerning local improvements,' approved June 14, 1897, in force July 1, 1897, as heretofore amended, by adding thereto a new section to be known as section 33a" .....	Tabled .....
Mar. 15	Levere.....	"An Act to amend an Act entitled 'An Act concerning local improvements,' approved June 14, 1897, in force July 1, 1897, as heretofore amended by adding thereto a new section to be known as section 97a" .....	A law .....
Mar. 15	Hull.....	"An Act to amend section 1 of an Act entitled, 'An Act to revise the law in relation to quo warranto,' approved March 23, 1874, in force July 1, 1874" .....	Tabled .....
Mar. 15	Hull.....	"An Act in relation to acquisition to the joint use of the tracks of one railroad corporation by another railroad corporation" .....	Tabled .....
Mar. 15	Gaumer.....	"An Act to prevent accidents from the mistaken use of gasoline or other inflammable fluids" .....	Tabled .....

## House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
803	Mar. 15	Gaumer.....	"An Act to create a commission to regulate the price of school text books, study the school system and laws of the State of Illinois and make such recommendations from time to time as in their wisdom seems proper" .....	Tabled .....
804	Mar. 15	Gaumer.....	"An Act to create a board of police commissioners in cities having a population of thirty thousand inhabitants, and authorizing and providing for the appointment for a police force for such cities and for the enforcement of the laws and the preservation of the peace in such cities" .....	Tabled .....
805	Mar. 15	Committee on Judiciary....	"An Act to define and punish crimes against children" .....	A law.....
806	Mar. 15	Committee on Parks and Boulevards..	"An Act authorizing cities, towns and villages to permit the construction of surface and elevated ways" .....	A law.....
807	Mar. 15	Committee on Parks and Boulevards..	"An Act authorizing the Commissioners of Lincoln Park to issue bond and providing for payment thereof" .....	A law.....
808	Mar. 18	Zaabel .....	"An Act for the relief of Charles Millard Alexander".....	Tabled in Senate..
809	Mar. 20	Robinson .....	"An Act to prevent county officers from interfering with the discharge of their public duties by engaging in business".....	Tabled .....
810	Mar. 20	Keeney .....	"An Act to amend an Act entitled, 'An Act to provide for the creation of forest preserve districts,' approved May 18, 1905, in force July 1, 1905".....	Tabled .....
811	Mar. 20	Fulton .....	"An Act to amend section 10 of an Act entitled, 'An Act to establish and maintain a home for the disabled mothers, wives, widows and daughters of disabled or deceased soldiers in the State of Illinois, and to provide for the purchase and maintenance thereof,' approved June 13, 1895, in force July 1, 1895".....	Tabled .....
812	Mar. 21	Kerrick .....	"An Act to validate deeds, mortgages and other instruments of writing relating to the transfer of real estate" .....	Tabled April 24..

## House Synopsis—Continued.

When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
Mar. 21	Erby .....	"An Act to amend sections six and seven of an Act entitled, 'An Act to regulate the practice of medicine in the State of Illinois, and to repeal an Act therein named,' approved April 24, 1899, in force July 1, 1899, and to add three new sections to said Act, to be known as section 2a, section 3a and section 3b" .....	A law .....
Mar. 21	Committee on Roads and Bridges .....	"An Act to repeal 'An Act in regard to roads and bridges in counties not under township organization, and to provide for the adoption of the same,' approved May 10, 1901, in force July 1, 1901" .....	Vetoed .....
Mar. 21	Committee on Roads and Bridges .....	"An Act to amend section number twenty-two of an Act entitled, 'An Act to provide for the organization of road districts, the election and duties of officers therein, and in regard to roads and bridges in counties not under township organization, and to repeal an Act and parts of Acts therein named,' approved May 4, 1887, in force July 1, 1887" .....	Tabled .....
Mar. 22	Hope .....	"An Act to amend an Act entitled, 'An Act providing that operators of mines shall furnish shot firers in mines where shooting and blasting is done,' approved May 18, 1905, in force July 1, 1905" .....	A law .....
Mar. 22	Hope .....	"An Act to amend section 20 of 'An Act to revise the laws in relation to coal mines and subjects relating thereto, and providing for health and safety of persons employed therein,' approved April 18, 1899, in force July 1, 1899, as amended by Act approved May 13 and 14, 1903, in force July 1, 1903, and further amended by Acts approved May 12, 13 and 16, 1905, in force July 1, 1905, and to repeal an Act herein named" .....	A law .....
Mar. 22	Committee on Parks and Boulevards .....	For "An Act authorizing cities, towns and villages to construct and maintain surface and elevated ways, and turn the same over to public park corporate authorities" .....	A law .....
Mar. 22	Lindly .....	For "An Act to provide for the manufacture of farm implements, binding twine, rope and bags at the Illinois State Penitentiary at Joliet, to provide for the sale of same, and to make an appropriation therefor and to repeal certain Act" .....	Tabled .....



## House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
820	Mar. 22	McGoorty ..... (by request)	For "An Act to amend an Act entitled, 'An Act to revise the law in relation criminal jurisprudence,' approved March 27, 1874, in force July 1, 1874, by adding thereto a section to be known as section 167a, that any officer, clerk or servant of any incorporated company, or any clerk, agent, servant or apprentice of any person or co-partnership or society, who shall collect money on commission and fail or refuse to pay over the money so collected by him, less his commission, on demand by the person entitled to receive the same, or his agent duly authorized, shall be deemed guilty of larceny".....	Tabled .....
821	Mar. 22	Parker ..... (by request)	For "An Act to amend an Act entitled, 'An Act to revise the law in relation to clerks of courts,' approved March 25, 1874, by incorporating therein a new section, requiring the clerks of courts of record to keep books of registry"....	Tabled .....
822	Mar. 27	Hill .....	"An Act to amend section 3, of article 3, of chapter 46, of an Act entitled, 'An Act regulating the holding of elections and declaring the results thereof in cities, villages and incorporated towns in this State,' approved June 19, 1885, in force July 1, 1885, as amended by subsequent Acts".....	Tabled April 18..
823	Mar. 27	Schaefer .....	"An Act to correct certain abuses by fire and tornado, marine or inland insurance companies doing business in this State, in the rates, amounts of payment of premiums, in the return of premiums, rebates or other benefits".....	Tabled .....
824	Mar. 28	Committee on Appropriat's	"An Act to provide against the evils resulting from the traffic in certain narcotic drugs, and to regulate the sale thereof, and to make an appropriation therefor".....	Tabled .....
825	Mar. 28	Committee on Corporations	"An Act for the protection of train men and to regulate the stringing of wires, electric or other, over railroad tracks, and relative to the maintenance of such wires heretofore so strung".....	Tabled .....
826	Mar. 28	Committee on Banks and Banking ....	"An Act in regard to obligations due in the alternative".....	Tabled April 23..
827	Mar. 28	Committee on Insurance...	"An Act relating to the transaction of the business of life insurance in the State of Illinois, and regulating the conditions and etc."...	Tabled .....

## House Synopsis—Continued.

When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
April 3	Committee on Fraternal Insurance...	"An Act to regulate the consolidation of re-insurance of fraternal beneficiary societies" .....	Tabled in Senate .....
April 3	Committee on Fraternal Insurance...	"An Act empowering fraternal beneficiary societies organized under and by virtue of the laws of the State of Illinois to create, maintain and operate as a part of their organization, a department for the purpose of providing and furnishing to their sick, disabled and distressed members and their families free medical, home, sanatorium and hospital service and treatment, and other material aid and assistance, and to create, maintain and disburse for such purposes a trust fund to be raised by and from voluntary contributions, and declaring such departments to be charitable institutions, and competent as such to be named, and to take, as beneficiary by its members in certain cases" .....	A law .....
April 3	Lantz .....	"An Act regulating the admission of minors to public dance halls where intoxicating liquors are sold or given away and providing for penalties for violation of this Act" ...	Tabled .....
April 3	Oglesby .....	(by request) "An Act granting the right, power and authority to Fred B. McLean and to his assigns to construct, maintain and operate a promenade pier upon the submerged lands and in the waters of Lake Michigan, extending easterly and perpendicular to the general trend of the shore line at Thirty-first street, in the city of Chicago, with proper and necessary approaches, and to provide compensation therefor" ...	Tabled .....
April 4	Committee on Judicial Department & Practice ...	"An Act to authorize recorders of deeds to keep abstract books, to make abstracts of title and fixing the fees and compensation therefor, and to repeal an Act therein named" .....	Tabled .....
April 4	Lawrence .....	"An Act to establish and maintain a Department of Forestry in the University of Illinois, and to make appropriation of money therefor" ..	Tabled April 11 .....
April 5	Committee on Fish and Game .....	"An Act to encourage the propagation and cultivation and to procure the protection of fishes in all the waters under the jurisdiction of the State of Illinois, defining the duties of the fish commissioners, fixing their compensation and providing penalties for the violation of the provisions thereof" ....	A law .....

## House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
835	April 5	McRoberts....	"An Act to amend section 1 of an Act entitled, 'An Act to provide for annexing and excluding territory from cities, towns and villages, and to unite cities, towns and villages, approved April 10, 1872, in force July 1, 1872, as amended by an Act approved May 10, 1901, in force July 1, 1901'" .....	Tabled .....
836	April 5	Church..... (by request)	"An Act authorizing appellate court judges to appoint a shorthand reporter or reporters" .....	Tabled .....
837	April 9	Gaunt..... (by request)	"An Act to prohibit the licensing of dram shops within three (3) miles of the University of Illinois, or any of the Normal Universities of said State" .....	Tabled .....
838	April 9	Pierson .....	"An Act defining bucket shop and bucket shopping, making it a crime to maintain and operate the same and provide penalties for so doing" .....	Tabled .....
839	April 9	Committee on Judiciary ..	"An Act in regard to negotiable instruments payable in money" .....	A law .....
840	April 9	Committee on Judiciary ..	"An Act to make a writ of super-seedeas a writ of right in criminal cases where the death penalty has been adjudged to be inflicted, and providing for the manner of prosecuting writs of error therein" .....	Tabled in Senate...
841	April 9	Committee on Judiciary ..	"An Act concerning the manner of commencing and conducting the prosecution of criminal offences" ..	Vetoed .....
842	Apr. 10	Committee on Education ..	"An Act to provide for the contribution from interest on public school funds to teachers' and public school employes' pension and retirement funds in cities having a population exceeding 100,000 inhabitants" .....	A law .....
843	Apr. 10	Committee on Education ..	"An Act to provide for the formation and disbursement of a public school teachers' pension and retirement fund in cities having a population exceeding 100,000 inhabitants" .....	A law .....

*House Synopsis—Continued.*

When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
Apr. 10	Committee on Manufactur's	"An Act to prevent fraud in the sale of dairy products, their imitation or substitutes, to prohibit and prevent the manufacture or sale of unhealthful, adulterated or misbranded food, liquors or dairy products, to provide for the appointment of a State food commissioner and his assistants, to define their powers and duties, and to repeal all Acts relating to the production, manufacture and sale of dairy and food products and liquors in conflict herewith" .....	A law.....
Apr. 11	Committee on Miscellaneous Subjects....	"An Act to regulate the practice of ostometry in the State of Illinois".	Vetoed .....
Apr. 11	Committee on Insurance ...	"An Act to limit the amount of life insurance to be furnished to children under sixteen years of age" ..	Tabled .....
Apr. 11	McGoorty ....	"An Act to provide for party nominations of candidates for public office by direct vote".....	Tabled .....
Apr. 11	Covey .....	"An Act to amend sections 3, 4, 5, 6 and 14 of an Act to regulate public warehouses, and the warehousing and inspection of grain, and to give effect to article 13 of the Constitution of this State, approved April 25, 1871, in force July 1, 1871," .....	A law.....
Apr. 11	Committee on Education ..	"An Act enabling the trustees and Board of Education of State and township educational institutions to exercise the right of eminent domain" .....	Tabled .....
Apr. 12	Lantz .....	"An Act to amend section 7 of an Act entitled 'An Act to regulate the practice of medicine in the State of Illinois, and to repeal an Act therein named,' approved April 24, 1899".....	Tabled .....
Apr. 17	Church..... (by request)	"An Act to provide for the proper sanitation, lighting, ventilating, heating and protection from fire of public buildings, and to provide a penalty for the violation thereof"	Tabled .....
Apr. 17	Manny .....	"An Act to prohibit the sale, delivery and shipment of articles of food in unsanitary packages or coverings" .....	Tabled .....

## House Synopsis—Continued.

No.	When introduced.	By whom introduced	Abstract of Title of Bill.	Disposition.
853	Apr. 18	McBride .....	"An Act to incorporate companies to do the business of life or accident insurance on the assessment plan, and to control such companies of this State, and of other states doing business in this State, and to repeal a certain Act therein named, and providing and fixing the punishment for violation for the provisions thereof, approved June 22, 1893, in force July 1, 1893".....	Tabled April 26.....
854	Apr. 19	Com. on Appropriations	"An Act making appropriations for the State educational institutions herein named".....	A law.....
855	Apr. 19	Com. on Appropriations	"An Act making appropriations for the ordinary expenses of the State educational institutions herein named" .....	A law.....
856	Apr. 19	Committee on Education ..	"An Act to fix the minimum salary of public school teachers in this State, and to provide for State aid in payment thereof".....	Tabled .....
857	Apr. 19	Committee on Education ..	"An Act to provide free high school privileges for graduates of the eighth grade".....	A law.....
858	Apr. 19	Committee on Judiciary .....	"An Act to amend section four (4) of an Act entitled, 'An Act to regulate the traffic in deadly weapons and prevent the sale of them to minors,' approved April 16, 1881, in force July 1, 1881" ..	Tabled .....
859	Apr. 19	Com. on Appropriations	"An Act making an appropriation for the Illinois Farmers' Institute and county farmers' institutes".....	A law.....
860	Apr. 19	Lindly ....., (by request)	"An Act to amend section section 21, article 2, of an Act to establish and maintain free schools, approved and in force May 21, 1889"	A law.....
861	Apr. 19	Lindly ....., (by request)	"An Act to amend section 22, article 4, of an Act to establish and maintain a system of free schools, approved and in force May 21, 1889"	Tabled .....
862	Apr. 24	Committee on Judiciary ...	"An Act to provide for the filing of conditional contracts of sale of personal property, and to provide a penalty for the unlawful disposal of same and for the making of false affidavit with reference thereto" .....	Tabled .....



## House Synopsis—Continued.

When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
Apr. 24	Committee on Municipal Corporations	"An Act to amend section 1 of article 5 of an Act entitled, 'An Act to provide for the incorporation of cities and villages,' approved April 10, 1872, and in force July 1, 1872, as amended by an Act entitled, 'An Act to amend section 1 of article 5 of an Act entitled, 'An Act to provide for the incorporation of cities and villages,' approved March 30, 1887, by adding thereto a new paragraph to be known as paragraph number ninety-seven" .....	Tabled .....
Apr. 25	Committee on Farm Drainage.....	"An Act to amend an Act entitled, 'An Act to provide for drainage for agricultural and sanitary purposes, and to repeal certain Acts therein named,' approved June 27, 1885, and in force July 1, 1885, as amended by an Act approved June 21, 1895, in force July 1, 1895" .....	Tabled .....
Apr. 26	Committee on Insurance....	"An Act entitled, 'An Act to regulate the business of fire, inland navigation and tornado insurance, by persons, firms, associations or other underwriters, not incorporated for such purposes' .....	Tabled .....
Apr. 26	Committee on Farm Drainage.....	"An Act to give to circuit courts, in term time, and judges thereof in vacation, concurrent jurisdiction with county courts, in all matters pertaining to the organization of farm drainage districts and farm drainage and levee districts and the operation thereof" .....	A law.....
Apr. 29	Shanahan.....	"An Act to provide for the purchase of land for the re-location of the Illinois State Penitentiary and the Illinois Asylum for Insane Criminals, and to provide for the building of a new Illinois State Penitentiary and a new Illinois Asylum for Insane Criminals and other State buildings at or near the city of Joliet, and making an appropriation therefor" .....	Tabled May 1.....
Apr. 30	Committee on Appropriations .....	"An Act to make an appropriation for ordinary and other expenses of the Illinois Penitentiary at Joliet" .....	A law.....
Apr. 30	Committee on Judiciary....	"An Act to amend an Act entitled, 'An Act to provide for the punishment of persons, co-partnerships or corporations forming pools, trusts and combines, and mode of procerude and rules of evidence in such cases,' approved June 11, 1891, in force July 1, 1891, as amended by an Act approved June 20, 1893, in force July 1, 1893, as amended by Act approved June 10, 1897, and in force July 1, 1897" .....	Tabled .....

## House Synopsis—Continued.

No.	When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
870	May 1	Committee on Appropriations .....	"An Act creating a commission and providing for the acquisition of land for re-location of the Illinois State Penitentiary and the Illinois Asylum for Insane Criminals, and for the building of a new Illinois State Penitentiary and a new Illinois Asylum for Insane Criminals at or near the city of Jollet and making an appropriation therefor" .....	A law .....
871	May 1	Committee on Fees and Salaries .....	"An Act to amend section 31 of an Act entitled, 'An Act concerning fees and salaries, and to classify the several counties of this State with reference thereto,' approved March 29, 1872, and Acts amendatory thereto, title as amended by Act approved March 28, 1874, in force July ", 1874," .....	A law .....
872	May 2	Com. on Appropriations .....	"An Act to provide for the incidental expenses of the Forty-fifth General Assembly of the State of Illinois, and for the care and custody of the State House and grounds, to be incurred and now unprovided for" .....	A law .....
873	May 2	Com. on Mines and Mining .....	"An Act to amend sections one (1) and (2) of an Act, entitled 'An Act concerning the use of powder in coal mines,' approved and in force May 14, 1903," .....	A law .....
874	May 2	Com. on Chicago Charter .....	"An Act to provide a charter for the city of Chicago, to consolidate in the government of said city the powers now vested in the local authorities having jurisdiction within the territory of said city, and to enlarge the rights and powers of said city" .....	A law .....
875	May 2	Com. on Judicial Department and Practice .....	"An Act to amend section 1 of an Act entitled, 'An Act to revise the law in relation to the election of county commissioners in Cook county and to fix their term of office,' approved June 15, 1893, in force July 1, 1893" .....	Tabled .....
876	May 3	Shanahan .....	"An Act providing for the transfer of the Natural History Museum from the city of Springfield to the University of Illinois" .....	Tabled .....

## House Synopsis—Continued.

When introduced.	By whom introduced.	Abstract of Title of Bill.	Disposition.
May 3	Municipal Corporations....	"An Act granting and conveying to the cities, towns and villages in the State of Illinois, bordering upon Lake Michigan and having a population of less than 100,000, certain portions of the lands under the waters of said lake, and providing for the establishment of the boundaries of said lands and the settlement of conflicting claims to accretions to adjoining lands".....	Tabled .....
May 3	Com. on Appropriations	"An Act to provide for testing the sight and hearing of pupils in the public schools".....	Tabled .....
May 7	Hill .....	"An Act to prevent and punish the desecration, mutilation or improper use of the flag of the United States of America.".....	A law .....
May 7	Allen.....	"An Act to enable former State's Attorneys of counties of the third class to pay into the treasuries of their respective counties fees of their office taken by them during their incumbency".....	Tabled .....
May 7	McGoorty.....	"An Act to provide for party nominations of candidates for public office by direct vote".....	Tabled .....
May 7	Committee on Revenue.....	"An Act to amend section 6 of an act entitled, 'An Act concerning local improvements as amended by an act approved and in force May 9, 1901'" .....	Tabled .....
May 7	Lindly .....	"An Act making an appropriation of the amount of the uncollected salaries of Daniel V. McDonough and Daniel Buettner, deceased members of the 45th General Assembly, in favor of the mother and widow of each respectively".....	A law .....

## Senate Bills in House.

No.	When received.	Abstract of Title of Bill.	Disposition.
1	Jan. 22	To provide for the incidental expenses of 45th General Assembly .....	A law .....
2	Jan. 22	Making appropriation for employes of 45th General Assembly .....	A law .....
11	Jan. 24	To amend an act entitled "An act concerning bastardy." .....	A law .....
52	Jan. 29	To extend probate and county courts jurisdiction .....	Tabled .....
58	Jan. 29	For the time and election of judges of the Superior Court of Cook county .....	A law .....
24	Feb. 5	To make an appropriation to the Attorney General to use in case of State of Illinois vs. Illinois Central R. Co. ....	A law .....
25	Feb. 5	Appropriation to Governor to investigate reports and accounts of Illinois Central R. R. Co. ....	A law .....
83	Feb. 6	To amend section 3 of an act to create sanitary districts. ....	A law .....
8	Jan. 10	An act to authorize townships to acquire and maintain lands for park purposes .....	A law .....
9	Jan. 10	An act authorizing townships to issue bonds for park purposes .....	A law .....
12	Jan. 15	To provide for the compilation, editing, publication and distribution of a commemorate and historical volume to be entitled "Illinois at Vicksburg," and making appropriation therefor .....	Tabled .....
32	Jan. 16	Appropriation to Governor to investigate reports and accounts of Illinois Central R. R. Co. ....	A law .....
80	Jan. 24	To amend an act in regard to practice in courts of record .....	Tabled .....
78	Jan. 24	To amend section 7 of an act to provide for the organization of road districts .....	Tabled .....

*Senate Bills in the House—Continued.*

When received.	Abstract of Title of Bill.	Disposition.
n.	24 To amend an act in regard to practice in courts of record.....	Tabled .....
b.	14 A bill for an act to authorize cemetery associations to condemn additional lands for cemetery purposes.....	Tabled .....
b.	14 A bill for an act making an appropriation for a deficiency in the appropriations for the purpose of printing paper and stationery and for making payments for printing and binding for the State under State contracts .....	A law.....
b.	21 To enable park commissioners to enlarge the park systems and to pay for the acquisition and improvement thereof.....	A law.....
b.	21 To amend section 20 of an act entitled "An act concerning fees and salaries" .....	A law.....
b.	21 To amend section one (1) of an act entitled "An act of wilful neglect of wife, or his or her minor children, in necessitous circumstances" .....	Tabled .....
b.	20 Amend section 1 of an act concerning fees and salaries.....	A law.....
b.	20 Amend section 6 of article VI of an act to maintain a system of free schools.....	Tabled .....
b.	20 Amend sections 1 and 2 of an act to enable certain cities to provide for public parks .....	A law.....
b.	7 To authorize trustees of schools to contract for drainage.....	Vetoed .....
arch	6 In regard to negotiable instruments.....	Tabled .....
arch	6 To provide for moral and humane education in the public schools.....	Tabled .....
arch	6 Amend section 37 of "An Act in regard to attachments in courts of record" .....	Tabled .....
arch	6 In regard to the recording of written instruments affecting real estate.....	Tabled .....
arch	7 To prohibit the scalping and sale of tickets for theaters, circuses, etc .....	A law.....
arch	7 Amend sec. 5 of art. 1 of "An Act to revise law in relation to justices of peace and constables" .....	Tabled .....
arch	7 Amend sec. 8 of "An Act to revise law in relation to divorce".....	Tabled .....
arch	8 To regulate the granting of relief to indigent war veterans and their families.....	A law.....
arch	8 Concerning the property of the Grand Army of the Republic and United Spanish War Veterans.....	A law.....



*Senate Bills in the House—Continued.*

No.	When received.	Abstract of Title of Bill.	Disposition.
50	March 8	To amend section 4 of an act to establish a home for disabled families of disabled soldiers.....	Tabled .....
87	March 8	To amend section 48 of an Act to practice in courts of record.....	Tabled .....
90	March 8	To amend section 33 of an Act concerning fees and salaries.....	Tabled .....
100	March 8	To amend section 11 of an Act to regulate civil service..	A law.....
141	March 8	Amend sec. 3, art. 4, of "An Act to establish free schools".....	Tabled April 10..
184	March 8	Amend sec. 1 of "An Act for violators of cities and villages ordinances".....	Tabled May 2...
243	March 8	Amend "An Act to regulate the State charitable institutions".....	A law.....
255	March 8	Amend "An Act to regulate the fees of court receivers"	Tabled .....
268	March 8	Amend "An Act in relation to employés of General Assembly.....	Tabled .....
292	March 8	Amend "An Act to revise the law in relation to change of venue".....	A law.....
302	March 8	Amend "An Act to regulate employment of children".....	Tabled .....
318	March 8	To enable school districts acting under special charter to hold elections.....	A law.....
357	March 13	Authorizing park commissioners to acquire submerged lands for park purposes.....	A law.....
10	March 14	To fix the punishment for the crime of larceny.....	Tabled .....
28	March 14	To amend an act in regard to roads and bridges in counties under township organization.....	A law.....
92	March 14	To amend an Act of "An Act to regulate the practice in courts of chancery.....	Tabled .....
128	March 14	Amend sections 51 and 52 of an Act concerning fees and salaries.....	A law.....
129	March 14	In regard to decrees of foreclosures of mortgages.....	Tabled May 2...
205	March 14	Amend section 2 of division 8 of "An Act to revise law of criminal jurisprudence.....	Tabled .....
206	March 14	Amend sections 1 and 4 of division 15 of "An Act to revise law of criminal jurisprudence".....	Tabled .....

*Senate Bills in the House—Continued.*

When received.	Abstract of Title of Bill.	Disposition.
March 14	To create one additional term of Circuit Court in the county of Williamson.....	A law.....
March 14	An appropriation for a building for the Department of Justice.....	A law.....
March 14	To create a board of the department of electricity pension fund.....	Tabled .....
March 15	Defining motor vehicles, providing for registration and speed thereof.....	A law.....
March 15	Fees of county clerks of first and second class.....	Tabled .....
March 15	To officers of life insurance companies.....	A law.....
March 15	Amend section 36 of "An Act in regard to evidence in criminal cases".....	Tabled .....
March 15	Amend section 24 and repeal section 25 of "An Act in regard to evidence in civil cases".....	Tabled May 2.....
March 15	To regulate sale of Paris green.....	A law.....
March 15	For the prevention of fraudulent enterprises to defraud the public.....	Tabled .....
March 20	To prohibit killing of carrier pigeons.....	Tabled .....
March 20	In relation to writs of certiorari in certain cases.....	Tabled .....
March 20	To amend section 8 of an Act concerning fees and salaries .....	A law.....
March 20	Concerning the proof ordinances of any municipality .....	Tabled .....
March 20	Misrepresentation by life insurance companies....	A law.....
March 20	Regulate investments of funds and real estate of life insurance companies.....	A law.....
March 20	Amend section 6 of "An Act to revise law of oaths and affirmations".....	Tabled .....
March 20	To license itinerant vendors of proprietary medicines for man or beast.....	Tabled .....
March 20	Amend "An Act for the formation of municipal employes' pension fund".....	Vetoed .....

*Senate Bills in the House—Continued.*

No.	When received.	Abstract of Title of Bill.	Disposition.
388	March 20	Relating to the transaction of the business of life insurance in Illinois.....	A law.....
177	March 20	Amend sections 49, 51 and 60 of "An Act to provide for road districts".....	Tabled April 19...
170	March 21	Regulate fire, navigation and tornado insurance..	Tabled .....
180	March 21	Amend section 5 of division 3 of "An Act to revise law in relation to criminal jurisprudence".....	Tabled .....
185	March 21	Concerning appeals in criminal cases.....	Tabled .....
193	March 21	Amend section 2 of "An Act to revise law in relation to habeas corpus".....	Tabled .....
202	March 21	Amend sections 4 and 6 of article 2, etc., of "An Act to revise law in relation to justices of peace and constables".....	Tabled .....
204	March 21	Amend section 211 of division 1 of "An Act to revise law of criminal jurisprudence".....	Tabled .....
208	March 21	Amend section 16 of division 7 of "An Act to revise law of criminal jurisprudence".....	Tabled .....
212	March 21	Amend section 8 of article 5 of "An Act to revise law of justices of peace and constables".....	Tabled .....
216	March 21	"An Act to protect horseshoers".....	A law.....
219	March 21	Amend "An Act of 'An Act of 'An Act to establish a sailors' and soldiers' home".....	A law.....
321	March 21	Amend "An Act in relation to a municipal court in the city of Chicago".....	A law.....
369	March 21	To abolish the use of seals and scrolls in conveyances or other instruments relating to the title of real estate.....	Tabled .....
387	March 21	Amend "An Act concerning museums in public parks" .....	Tabled .....
429	March 21	To provide for making improvements upon highways adjoining public parks.....	A law.....
168	March 22	Amend "An Act to prevent contagious diseases of fruits" .....	A law.....
237	March 22	Amend "An Act to promote attendance of children in school".....	A law.....

*Senate Bills in the House—Continued.*

When received.	Abstract of Title of Bill.	Disposition.
March 22	Amend "An Act in relation to courts of record in cities" .....	A law .....
March 22	Granting the right of eminent domain to electric railway companies.....	Tabled .....
March 22	Amend "An Act to create a board of trustees of firemen's pension funds".....	Tabled .....
March 22	Amend "An Act of 'An Act in regard to wills' "...	Tabled .....
March 22	In relation to cities and villages.....	Tabled .....
March 28	To establish a legislative reference department in the State Library.....	Tabled .....
March 28	Concerning villages and incorporated towns, organized and existing under special Acts.....	Tabled .....
March 28	Amend "An Act in regard to hard roads".....	Tabled .....
March 28	To authorize religious corporations to own stock of cemetery associations.....	Tabled .....
March 28	"An Act in regard to persons convicted of crime"	Tabled .....
March 28	Amend "An Act to provide for the deposit of reserve, etc., by life insurance companies of this State" .....	A law .....
March 28	Amend "An Act to establish a system of free schools" .....	Tabled .....
March 28	Amend section 10 of "An Act for the protection of game".....	Tabled .....
March 28	Authorizing commissioners to maintain earth roads with a drag.....	A law .....
March 28	Amend section 86 of "An Act to extend the jurisdiction of county courts".....	Tabled .....
March 28	Amend section 36 of "An Act to revise the law in relation to criminal jurisprudence".....	Tabled .....
March 28	Amend section 10 of "An Act to establish homes for disabled soldiers and families".....	A law .....
March 28	To provide for pension fund for municipal employees .....	Tabled .....
March 28	Listing of the funds of fraternal beneficiary societies" .....	Vetoed .....
March 28	To provide for the organization and management of corporations.....	Tabled .....

*Senate Bills in the House—Continued.*

No.	When received.	Abstract of Title of Bill.	Disposition.
360	March 28	Amend "An Act to provide additional means for the construction of sidewalks in cities, etc."...	A law.....
411	March 28	To amend sections 1 and 2 of "An Act to amend 'An Act to regulate public warehouses'.....	Tabled .....
432	March 28	In relation to the sale of articles manufactured in penal institutions.....	Tabled .....
269	April 4	"An Act relating to nurses".....	A law.....
296	April 4	For assessment and collection of taxes on minerals" .....	Tabled .....
298	April 4	Amend "An Act for the control of cemetery associations" .....	Tabled .....
361	April 4	Amend section 40 of "An Act concerning fees and salaries" .....	A law.....
424	April 4	Amend section 118 of "An Act in regard to roads and bridges" .....	A law.....
451	April 4	Making an appropriation to meet the deficiency in the expenses for returning fugitives from justice" .....	A law.....
365	April 4	Amend section 7 of "An Act to revise the law in relation to the Department of Agriculture"....	A law.....
59	April 5	To amend "An Act in relation to coroners".....	A law.....
61	April 5	To amend "An Act to revise the law in relation to coroners" .....	A law.....
277	April 5	To regulate the practice of chiropody.....	Tabled .....
281	April 5	In regard to persons convicted of violation of ordinances of public park commissioners".....	A law.....
282	April 5	To provide punishment for violation of ordinances of boards of public park commissioners".....	Tabled .....
390	April 5	Amend section 6 of "An Act for the establishment of a normal university".....	A law.....
309	April 5	For protection of the owners or keepers of horses or vehicles for hire".....	Tabled .....
437	April 5	Amend "An Act to enable cities to establish public hospitals" .....	A law.....
452	April 5	Amend section 12 of "An Act to establish the Eastern Illinois State Normal School".....	A law.....



## Senate Bills in the House—Continued.

When received.	Abstract of Title of Bill.	Disposition.
April 5	Amend section 12 of "An Act to establish the Western State Normal School".....	Tabled .....
April 5	Amend section 12 of "An Act to establish the Northern State Normal School".....	A law.....
April 5	Amend section 12 of "An Act to establish the Southern Illinois Normal University".....	A law.....
April 5	To enable cities to build bridges outside their corporate limits" .....	A law.....
April 5	"An Act to amend section 25 of article 3 of "An Act entitled, 'An Act to establish and maintain a system of free schools" .....	Tabled .....
April 5	Amend sections 1, 2, 3, 5, 6, 8, 10, 11 and 16 of "An Act to create a board of trustees of the firemen's pension fund".....	A law.....
April 5	To require departments which publish reports to supply libraries of the University of Illinois and the State Normal Schools".....	Tabled .....
April 10	To amend an Act entitled, "An Act for the protection of game".....	Tabled .....
April 10	To prohibit sale of embalming fluids containing arsenic or strychnine.....	A law.....
April 10	Regulating experimentation upon human beings and animals .....	Tabled .....
April 10	Prohibiting unauthorized performance of unpublished dramatic compositions.....	A law.....
April 10	Amend "An Act to establish system of free schools"	Tabled .....
April 10	Providing for the sanitation of all food producing establishments .....	Tabled .....
April 10	Enabling trustees of State educational institutions to exercise the right of eminent domain.....	Tabled .....
April 10	Amend "An Act requiring compensation for causing death by wrongful act".....	Tabled .....
April 10	To provide for fees for clerks of probate courts....	Tabled .....
April 10	"An Act in relation to wearing the badge or emblems of the Grand Army of the Republic, the United Spanish War Veterans' Association, or the Army of the Philippines, to provide a penalty for a violation thereof, and to repeal a certain Act therein named".....	A law.....

## Senate Bills in the House—Continued.

No.	When received.	Abstract of Title of Bill.	Disposition.
394	April 10	Amend sections 4, 5, 6, 8 and 14 of "An Act to regulate practice of pharmacy in the State"....	A law.....
421	April 10	Authorizing courts of record to suspend sentence of certain criminal offenses.....	Vetoed .....
304	April 12	Amend "An Act of 'An Act to provide for drains, etc., for agriculture, sanitary and mining purposes" .....	A law.....
319	April 12	To authorize county authorities to establish a children's home .....	A law.....
142	April 17	Amend "An Act in regard to fees and salaries of constables" .....	Tabled .....
143	April 17	Fees of justices and police magistrates in counties of third class.....	Tabled .....
367	April 17	Amend "An Act in regard to practice in courts of record" .....	Tabled .....
368	April 17	Amend section 8 of "An Act to establish appellate courts" .....	Tabled .....
415	April 17	Relating to intermediate or current accounting of trustees .....	Tabled .....
504	April 17	"An Act to provide for the creation by popular vote of anti-saloon territory, within which the sale of intoxicating liquor and the licensing of such sale shall be prohibited".....	A law.....
488	April 18	"An Act to amend sections 4, 6, 9, 10, 12, 18, 19 and 35 of an Act entitled, 'An Act to regulate civil service of the State of Illinois'.....	A law.....
67	April 18	Against evils from the traffic of intoxicating liquors .....	Tabled.....
371	April 18	Amend section 1 of "An Act in relation to county and probate judges".....	Tabled.....
436	April 18	To limit the liability of banks.....	Tabled.....
485	April 18	Regulating the admission of minors to public dance halls .....	A law.....
491	April 18	To amend section 34 of an Act entitled, "An Act to revise the law in relation to the commitment and detention of lunatics".....	Tabled.....
498	April 18	"An Act in regard to evidence in cases affecting wills" .....	Tabled.....
191	April 25	Amend "An Act to regulate the profession of public accountants".....	A law.....

*Senate Bills in the House—Continued.*

When received.	Abstract of Title of Bill.	Disposition.
April 25	For creation of remedies supplementary to execution .....	Tabled .....
April 25	Amend section 116 of "An Act for the assessment of property" .....	A law .....
April 25	To authorize recorders of deeds to keep abstract books, to make abstracts of title, and fixing the fees and compensation therefor, and to repeal an Act therein named .....	Tabled .....
April 25	Concerning the annual reports of park commissioners .....	A law .....
April 25	Providing for the salaries of park secretaries .....	A law .....
April 25	Appropriation for Lincoln Homestead .....	A law .....
April 25	Amend "An Act to establish a military and naval code for State of Illinois" .....	Tabled .....
April 30	Making appropriation for State charitable institutions .....	A law .....
April 30	Making appropriations for the State charitable institutions herein named .....	Vetoed in part .....
April 30	To provide for the office of State Entomologist .....	A law .....
April 30	An appropriation for the payment of amount awarded by the Court of Claims .....	A law .....
April 30	Amend "An Act of criminal jurisprudence" .....	A law .....
May 1	Amend "An Act to provide for drainage" .....	Tabled .....
May 1	To promote the care and curative treatment of the insane .....	A law .....
May 1	Create State deposit board .....	Tabled .....
May 1	To provide for safety of persons employed in and about coal mines .....	Tabled .....
May 1	To prohibit the sale of mixed grades of coal .....	Tabled .....
May 1	To establish a uniform system of auditing books of county officers .....	Tabled .....
May 1	To amend sections 101 and 102 of an Act entitled, "An Act concerning land titles" .....	A law .....
May 1	"An Act to amend sections 1 and 2 of an Act entitled, 'An Act to establish a Board of Railroad and Warehouse Commissioners and prescribe their powers and duties'" .....	Tabled .....

*Senate Bills in House—Continued.*

No.	When received.	Abstract of Title of Bill.	Disposition.
86	May	1 To provide for a commission to inquire into the subject of taxation for State and local purposes.	Vetoed .....
327	May	1 To appropriate \$10,000 for the city of Shawneetown, Illinois.....	A law.....
99	May	2 Providing for the appointment of a State Inspector of Apiaries.....	Tabled .....
288	May	2 Amend "An Act to protect persons at crossings and junctions of railroads".....	A law.....
290	May	2 Amend "An Act in relation to crossing of one railroad by another".....	A law.....
476	May	2 An Act to amend sections 1 and 2 of article 6 of an Act entitled, "An Act to provide for the incorporation of cities and villages".....	Tabled .....
481	May	2 Amend section 2 of "An Act authorizing convicts to manufacture tile, etc.....	A law.....
508	May	2 To amend "An Act to provide for the deposit of reserves and the registration of policies and annuity bonds by insurance companies".....	A law.....
516	May	2 An Act to define and prohibit pandering and to provide for the punishment therefor.....	Tabled .....
519	May	2 Amend section 9 of "An Act to revise the law in relation to weights and measures".....	Tabled .....
535	May	2 To prohibit the sale of tickets for theatres, etc...	A law.....
118	May	7 Appropriating to the University of Illinois the money granted by Congress, approved Aug. 30, 1890 .....	A law.....
119	May	7 Appropriations for the erection of buildings for University of Illinois.....	Vetoed in part..
117	May	7 Making appropriation for the University of Illinois .....	A law.....
120	May	7 Authorizing University of Illinois to acquire buildings for its medical department.....	Vetoed .....
214	May	7 To extend the equipment of Illinois University....	A law.....
257	May	7 To provide for the control of investment companies	Vetoed .....
505	May	7 An Act to revise the law in relation to criminal jurisprudence .....	Tabled .....
540	May	7 An Act to appropriate two months' and five days' salary to the estate of Justice Jacob W. Wilkin.	A law.....

*Senate Bills in House—Continued.*

When received.	Abstract of Title of Bill.	Disposition.
6 May	7 An Act to provide for the necessary State purposes .....	A law .....
7 May	7 For "An Act making appropriation for the payment of the officers and members of the next General Assembly" .....	A law .....
7 May	7 An Act to provide for the ordinary and contingent expenses of the State government until the expiration of the fiscal quarter after the adjournment of the next regular session of the General Assembly .....	Vetoed in part .....
7 May	7 An Act to amend section 2 of "An Act in regard to mortgages of real and personal property" ....	Tabled .....
6 May	7 To authorize county boards portions of county buildings to municipal corporations .....	Tabled .....
1 May	7 Status of life insurance solicitors .....	Tabled .....
6 May	7 Amend "An Act to revise law in relation to habeas corpus" .....	Tabled .....
1 May	7 Amend an Act entitled, "An Act concerning aliens" .....	Tabled .....
7 May	7 For "An Act to amend section 51 of division 1 of an Act entitled, 'An Act to revise the law in relation to criminal jurisprudence'" .....	A law .....
4 May	7 To provide for the safety guards upon passenger elevators .....	Tabled .....
6 May	7 Providing for the reporting of accidents to employés .....	A law .....
9 May	7 To amend sections 2 and 3 of "An Act entitled, 'An Act to regulate the admission of foreign corporations'" .....	Vetoed .....
2 May	7 To amend "An Act concerning local improvement" .....	A law .....
5 May	7 For "An Act to amend section 2 of an Act entitled, 'An Act to provide for fees of clerks of the probate court in counties of the third class'" .....	Vetoed .....
9 May	7 To amend section 1 of "An Act to tax gifts, legacies and inheritances, etc." .....	Tabled .....
4 May	7 To amend section 1 of article 8 of an Act regulating the holding of elections .....	A law .....
7 May	7 Regard to disbursements of life insurance companies .....	Tabled .....



*Senate Bills in the House—Continued.*

No.	When received.	Abstract of Title of Bill.	Disposition.
474	May	7 "An Act to license, inspect, regulate and control lying-in hospitals of this State".....	Tabled .....
110	May	8 Amend section 28 of chapter 64 of an Act in regard to guardians and wards.....	Tabled .....
113	May	8 To regulate the catching of white and other fishes in waters of Lake Michigan.....	A law.....
359	May	8 Appropriations for repairs to the locks, etc., in Illinois river.....	A law.....
541	May	8 To amend "An Act entitled, 'An Act to establish a State Highway Commission'".....	Tabled .....
417	May	8 Amend section 39, article 3 of an Act entitled, 'An Act to establish a system of free schools' ..	Tabled .....
• 482	May	8 Amend sections 1, 4, 5, 6, 7 and 8 of "An Act to provide for the erection of an asylum for the incurable insane".....	A law.....
103	May	8 To define and punish the crime of rape.....	Tabled .....
258	May	8 Amend "An Act for the incorporation of cities and villages" .....	Tabled .....
475	May	8 "An Act to amend section 3 of an Act entitled, 'An Act to provide for the visitation of children placed in family homes'".....	A law.....
384	May	8 Amend sections 2 and 11 of "An Act to establish a military and naval code for the State of Illinois" .....	A law.....
543	May	8 Amend section 1 of "An Act to authorize the organization of high school districts".....	Tabled .....
550	May	9 'An Act enabling trustees, boards of education, and other corporate authorities of Universities, colleges, township high schools, and all other educational institutions established and supported by this State, or by a township, to exercise the right of eminent domain'.....	A law.....
551	May	9 "An Act to amend section 6 of an act entitled, 'An Act concerning local improvements,' approved June 14, 1897, in force July 1, 1897, as amended by the Act approved and in force May 9, 1901".....	Tabled .....
552	May	9 'An Act in relation to the limitation of actions upon official bonds'.....	Vetoed .....

*Senate Bills in the House—Concluded.*

When received.	Abstract of Title of Bill.	Disposition.
6 May	9 An Act making appropriation for the State Board of Agriculture, to be used in the construction of permanent buildings and improvements, and for beautifying the State fair grounds at Springfield, Illinois .....	Vetoed in part.....
9 May	9 An Act to prevent fire insurance companies, their officers or agents or employes from combining to control rates of insurance or commissions allowed agents.....	Tabled .....

## LIST BY NUMBER OF HOUSE AND SENATE BILLS.

*First—Signed by Governor.*

## HOUSE BILLS SIGNED.

10	134	231	292	473	593	777	544
23	142	232	293	482	633	780	545
24	164	234	332	484	641	783	554
47	167	240	382	485	642	784	555
51	175	241	390	510	646	799	557
53	177	245	394	511	677	805	559
56	184	248	406	517	684	806	560
78	186	250	410	522	688	807	566
80	189	251	411	523	691	813	568
97	205	258	416	531	692	816	570
99	220	260	434	532	694	817	571
107	221	262	442	540	710	818	572
108	224	284	450	552	742	829	573
109	225	285	459	571	745	839	574
112	226	287	460	574	746	842	579
115	227	291	471	581	771	843	583
130							

## SENATE BILLS SIGNED.

1	59	128	219	292	359	437	485
2	61	145	230	293	360	451	486
8	76	158	231	304	361	452	502
9	85	159	232	312	365	454	504
11	83	168	237	319	370	455	506
13	100	169	239	320	384	460	535
24	104	190	243	321	388	462	536
25	105	191	269	325	390	475	540
30	107	196	281	327	392	480	542
32	111	214	288	343	394	481	546
44	113	216	290	349	424	482	547
46	117	217	291	357	429	483	550
58	118	218					

*Second—Became Laws Without Signature of Governor.*

HOUSE.	SENATE.
1	5
341	28
468	318
834	

*Third—Vetoed in Part.*

HOUSE.	SENATE.
60	108
330	119
	396
	537

*Fourth—Vetoed.*

HOUSE.	SENATE.
4	362
40	421
65	428
132	
314	
317	
609	
699	
713	
714	
757	
814	
841	
845	
62	
86	
120	
257	







1 Introduced by Hon. Johnson Lawrence.

WHEREAS, It is a well known fact that the men who served in the Union Army during the civil war, and were captured by the enemy, suffered untold hardships and privations unparalleled in the annals of war while confined in southern stockades and other so-called military prisons for many long and weary months, and

WHEREAS, A measure known as the Hamilton bill will be introduced in the next Congress, which proposes to pension all survivors of these prison pens, at the rate of \$50 per month, believing the measure would do partial justice to this class of our volunteers; therefore,

*Resolved*, That we, the Representatives of the People of the State of Illinois, heartily endorse the said Hamilton bill and respectfully request Congress to pass the measure; be it further

*Resolved*, That a copy of these resolutions be sent to each member of Congress from Illinois, the Speaker of the House and also to Senator Shelby M. Culom and A. J. Hopkins.

Adopted by the House January 28, 1908.

UNITED STATES OF AMERICA,

STATE OF ILLINOIS,

{ ss.

OFFICE OF THE SECRETARY OF STATE.

I, James A. Rose, Secretary of State of the State of Illinois, do hereby certify that the foregoing Resolution of the House of Representatives of the Forty-fifth General Assembly of the State of Illinois, passed and adopted at the regular session thereof, is a true and correct copy of the original resolution now on file in the office of the Secretary of State.

IN WITNESS WHEREOF, I hereunto set my hand and affix the Great Seal of State, at the city of Springfield this 31st day of January, A. D. 1908.

[SEAL]

*James A. Rose*

*Secretary of State.*

Introduced by Mr. Boulware, January 15, 1907.

Read first time, ordered printed and referred to Committee on Fees and Salaries,  
when appointed.

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## A BILL

For an Act to amend an act entitled "An Act to allow a per diem fee to clerks of the  
Circuit and Probate Courts in counties of the first and second class," approved June  
7, 1895, in force July 1, 1895, (approved May 10, 1901, in force July 1, 1901).

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SECTION 1. *Be it enacted by the People of the State of Illinois*  
*represented in the General Assembly:* That an act to amend an act entitled "An  
Act to allow a per diem fee to clerks of the Circuit and Probate Courts in counties  
of the first and second class," be amended to read as follows:

The clerks of the Circuit Court in counties of the second class shall receive  
and be allowed as a per diem fee for attendance upon said courts the sum of six  
dollars per day, and the clerks of the Probate Court in counties of the second  
class, and clerks of the Circuit Court in counties of the first class, shall be allowed

9 the same per diem fee for attendance upon their respective courts as are now al-  
10 lowed to clerks of the county court and sheriffs in counties of the second class for  
11 such service.

*Provided, however, that in counties of the second class, where regular and*  
13 *branch Circuit Courts are held, clerks of the Circuit Courts shall receive and be*  
14 *allowed the sum of six dollars per diem for attendance upon each of said courts.*

Introduced by Mr. Adkins, January 15, 1907.

Read first time, ordered printed and referred to Committee on Railroads, when appointed.

## A BILL

For an Act regulating the handling of freight in carload lots by railroad companies, shippers and consignees, and imposing car service charges and penalties, for the use and detention of cars and failure to furnish cars and transport the same.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That any railroad company engaged as a common carrier in the transportation of freight in car load lots, upon written request of any shipper to furnish one or more freight cars to be loaded for shipment over the railroad operated by such railroad company, shall within forty-eight (48) hours thereafter, Sundays and legal holidays excepted, place at the named loading point the car or cars so required, and for each twenty-four (24) hours' delay or fraction thereof, on the part of such railroad company in not placing such car or cars, at such loading point beyond said allowed period, such railroad company shall become indebted, and on demand shall pay to such shipper



the sum of one dollar for each and every car not so placed at such loading point within the time above named. When a shipper makes application to a railroad company to furnish one or more freight cars, specifies a future day, giving not less than forty-eight (48) hours' notice, then it shall be the duty of said railroad company to furnish such car or cars on the day specified in the application.

Sec. 2. Any railroad company mentioned in section one of this Act, upon receipt of notice from a shipper that one or more cars have been loaded by such shipper and are ready for delivery to such company at the place of loading thereof, to be carried on the road of such company towards the destination thereof, shall remove such car or cars from such loading point and forward the same toward destination within twenty-four (24) hours after receiving such notice, Sundays and legal holidays excepted; and for every delay of twenty-four (24) hours, or fraction thereof, after the expiration of the period herein allowed for the removal thereof, such railroad company shall become indebted and on demand pay to such shipper the sum of one dollar for each and every car not so removed within the period herein provided.

Sec. 3. Any railroad company mentioned in section one of this Act which shall receive from a connecting railroad company one or more cars of freight consigned to any point on or beyond its line, within twenty-four (24) hours after such car or cars are offered to it, or are placed on its transfer or other tracks, shall forward said car or cars over its railroad towards destination; and for every delay of twenty-four (24) hours or fraction thereof on the part of said railroad company in forwarding said car or cars beyond said allowed period of twenty-four (24) hours, said railroad company shall become indebted and upon demand shall pay to the consignee the sum of one dollar for each and every car so received and not forwarded upon its lines within the time above allowed.

Sec. 4. When any railroad company in this State shall have received from  
 2 any shipper, or from a connecting railroad, for shipment over its railroad, one or  
 3 more cars of freight, it shall be the duty of such company receiving such car or  
 4 cars of freight within twenty-four (24) hours thereafter to cart the same for-  
 5 ward from the place of shipment towards the point of destination, and after be-  
 6 ing started forward, such car or cars of freight shall be continued in transit to-  
 7 wards the destination thereof at a rate of not less than average speed of seventy-  
 8 five miles per day of twenty-four hours; and upon the failure of such railroad com-  
 9 pany to transport such car or cars at the speed herein indicated, such railroad com-  
 10 pany shall become indebted and on demand shall pay to the consignee thereof one  
 11 dollar for each and every car for each twenty-four (24) hours or fraction thereof  
 12 consumed in the transportation of said car or cars in excess of the time herein pre-  
 13 scribed; and in ascertaining the time consumed in the shipment of such car or cars  
 14 the time shall begin to run twenty-four (24) hours after the date of the bill of  
 15 lading or receipt given for said car or cars by said railroad company, which bill  
 16 of lading or receipt shall be received by the courts of this State as *prima facie*  
 17 evidence of the time when said car or cars were received by such company.

Sec. 5. It shall be the duty of every railroad company mentioned in sec-  
 2 tion one of this Act to deliver at the usual place of unloading by the consignee all  
 3 cars of freight hauled by it for delivery to said consignee within twenty-four (24)  
 4 hours, Sundays and legal holidays excepted, after the same shall have reached  
 5 the yards of the railroad company at said point of destination; and for each and  
 6 every delay of twenty-four (24) hours or fraction thereof in not so delivering  
 7 the same after the expiration of the time herein prescribed, said railroad com-  
 8 pany shall become indebted and on demand shall pay to the consignee the sum of  
 9 one dollar for each and every car not so delivered within the time herein allowed.

Sec. 6. It shall be the duty of any shipper, in compliance with whose request  
 2 any railroad company mentioned in section one of this Act has placed one or  
 3 more cars at the usual loading point of said shipper, to fully complete the load-  
 4 ing thereof ready for redelivery to said company within forty-eight (48) hours  
 5 after the same shall have been placed at such loading point, Sundays and legal  
 6 holidays excepted, which full period for loading is allowed the shipper free from  
 7 demurrage charges; and for every twenty-four (24) hours or fraction thereof of  
 8 delay beyond said period in so loading said car or cars, such shipper shall be-  
 9 come indebted and on demand shall pay to said railroad company the sum of one  
 10 dollar for each and every car so placed and not loaded and ready for redelivery  
 11 within the time allowed herein. But if on account of delay or irregularity on the  
 12 part of said railroad company in filling orders, cars are bunched in excess of  
 13 the ability of the shipper to load, as indicated in his applications, the shipper  
 14 shall be allowed separate and distinct periods of free time within which to load  
 15 the car or cars specified in each separate application. If, however, a shipper  
 16 fails to begin loading within forty-eight (48) hours after the expiration of free  
 17 time, the railroad company shall consider the car or cars released and may assess  
 18 and collect four dollars on each car which a shipper so detains and fails to load.  
 19 If a shipper, after ordering a car or cars for the shipment of freight, and said  
 20 car or cars have been placed for loading by the railroad company at the point  
 21 designated, desires to release said car or cars, he may do so by notifying the rail-  
 22 road company, but no free time shall be allowed and said shipper shall pay to the  
 23 railroad company one dollar for each twenty-four (24) hours or fraction thereof  
 24 on each car so ordered and released.

Sec. 7. It shall be the duty of the consignee of each and every car delivered  
 2 by any railroad company mentioned in section one of this Act, at the usual place



3 of unloading by the consignee, to fully unload such car or cars within forty-eight  
4 (48) hours from the time the same shall be placed at the usual unloading point  
5 of consignee, which full periods are allowed the consignee for unloading free  
6 from demurrage charges; and for each and every delay of twenty-four (24)  
7 hours, or fraction thereof, on the part of the consignee in unloading such car or  
8 cars beyond the said above periods respectively, the consignee shall become in-  
9 debted, and on demand pay to the railroad company delivering such car or cars the  
10 sum of one dollar for each and every car not so unloaded within the time herein  
11 prescribed.

Sec. 8. For all shipments of freight in carload lots on the railroads men-  
2 tioned in section one of this Act, proper bills of lading showing the date of deliv-  
3 ery to such railroad company, the shipper's marks and numbers of each car so  
4 shipped shall be issued on demand by the railroad company and delivered to  
5 the consignor at the time of receiving such car or cars; which bills of lading  
6 shall forthwith be transmitted by the consignor to the consignee, and the same,  
7 when offered by any party in any cause pending in any court in this State, shall  
8 be received and admitted in evidence by such court as *prima facie* evidence of the  
9 time when delivery of such car or cars was made by the consignor to such rail-  
10 road company and the contents thereof when so delivered to such company, and  
11 such railroad company shall be subject to a penalty of one hundred dollars  
12 (\$100.00) for its refusal to furnish such consignee such bill of lading for each car  
13 so received by it; such penalty to be recovered, with costs of suit, by the consignee  
14 of such car or cars from the railroad company so in default.

Sec. 9. Legal notice as referred to in this Bill may be either actual or con-  
2 structive. When the consignee or agent is personally served with notice of ar-  
3 rival at or before 10 a. m. of any day free time begins at that hour, and if such

4 consignee or agent is served with such notice after 10 a. m. and before 6 p. m. of  
5 any day, free time begins at 7 a. m. the day following. Constructive notice con-  
6 sists of posting notice by mail to consignee. When this method of notice is  
7 adopted there shall be twenty-four (24) hours additional free time.

Sec. 10. The period during which furnishing cars for the movement of  
2 freight is suspended on account of accident, or for any cause which the said rail-  
3 road company could not have prevented without injuriously interfering with in-  
4 terstate commerce or the practical operations of its road, or during which the  
5 loading or unloading of freight by shipper or consignee is impracticable by rea-  
6 son of inclement weather, which would cause injury or damage to such freight,  
7 shall be added to the free time allowed in this Act and counted as additional  
8 time.

Sec. 11. No person or corporation shall be permitted to avail himself or it-  
2 self of a claim for free or additional time, as provided in Section 10 of this Act,  
3 unless he or it shall have filed with the Board of Railroad and Warehouse Com-  
4 missioners of this State a claim in writing for such free or additional time, giv-  
5 ing the reasons therefor, before the suit, in which a defense based on a claim for  
6 free or additional time was commenced.

Sec. 12. Every railroad company shall, within forty-eight (48) hours after  
2 filing such claim for additional or free time, cause notice thereof in writing to  
3 be served on every person or corporation who has an unfilled order with such  
4 railroad for cars, and on every person or corporation to whom, as consignee,  
5 cars of merchandise are deliverable: *Provided, however,* that it shall not be nec-  
6 essary to serve such notice on any person or corporation who will not be affect-  
7 ed by the granting of free or additional time.



Sec. 13. Every shipper shall, within forty-eight (48) hours after filing such  
 2 claim for additional or free time, cause notice thereof in writing to be served on  
 3 the railroad company from whom such person has received any cars, for the  
 4 loading or unloading of which any additional or free time is claimed.

Sec. 14. An affidavit of the service of the notice herein provided for, shall  
 2 be filed with the Board of Railroad and Warehouse Commissioners within twen-  
 3 ty-four (24) hours of the service thereof, and said Board shall, within twenty-  
 4 four (24) hours after receiving such notice, fix a time and place for a hearing of  
 5 the claim in question, and shall also, within twenty-four (24) hours from the re-  
 6 ceipt of such affidavit, cause a notice in writing of the time and place of such hear-  
 7 ing to be mailed to the claimant, and every person or corporation on whom said  
 8 claimant has caused notice to be served, as herein and before provided.

Sec. 15. At the time and place appointed by said Board as aforesaid, said  
 2 Board shall hear any competent relevant evidence concerning the claim for ad-  
 3 ditional or free time, and thereupon shall either allow or disallow such claim.

Sec. 16. No person or corporation shall be bound by the granting of any  
 2 free or additional time unless notified of the time and place of hearing the claim  
 3 thereof, as herein provided.

Sec. 17. It shall be the duty of every railroad company applying for free  
 2 or additional time under the provisions of this Act to show by a clear preponder-  
 3 ance of the evidence that it has exercised due diligence as a common carrier in  
 4 providing equipment to handle the freight traffic of its line.

Sec. 18. It shall be the duty of every railroad company to fill applications  
 2 for cars in the order in which such applications are made, and failure to comply

3 with this provision of this Act shall subject such railroad company to a penalty of  
 4 \$100 for each violation, such penalty to be recovered with attorney's fees and  
 5 costs of suit.

Sec. 19. It shall not be necessary for the plaintiff, in suing to recover under  
 2 this Act, to either allege or prove that the defendant is not entitled to any addi-  
 3 tional or free time specified in the sections 10 and 11 of this Act.

Sec. 20. The payment by said railroad company of demurrages provided in  
 2 this Act shall in no way invalidate or offset any claim any shipper or consignee  
 3 may have or make for damages occasioned by unusual delay on the part of such  
 4 railroad company or other cause, but shall be a further remedy and in addition to  
 5 any already existing. Such railroad companies shall not be required to per-  
 6 form any service under this Act for or at the request of any shipper or consignee  
 7 who is in arrears for any proper demurrage, or freight charges, due to such rail-  
 8 road until after such arrears have been paid or secured.

Sec. 21. If any common carrier subject to the provisions of this Act shall do,  
 2 cause or permit to be done, anything hereinbefore prohibited, or shall omit to do  
 3 anything in this Act required to be done, it shall be liable to the person or persons  
 4 injured thereby for the amount of damages sustained in consequence, together  
 5 with costs of suit and a reasonable attorney's fee to be fixed by the court, which  
 6 shall be taxed and collected as part of the cost in the case, but in all cases de-  
 7 mand in writing shall be made for the money damages sustained before action is  
 8 brought for a recovery under this section, and no action shall be brought until  
 9 thirty days after such demand.

Sec. 22. This Act shall take effect immediately.

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Amendments to House Bill No. 2, adopted by the House April 4, 1907.

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## AMENDMENT NO. 1.

Amend section 1 of House Bill No. 2 to read as follows:

Sec. 1. That any railroad company engaged as a common carrier in the transportation of freight in car load lots, upon written request of any shipper to furnish suitable car or cars to be loaded for shipment over the railroad operated by such railroad company, shall within ninety-six hours (96) thereafter, Sundays and legal holidays excepted, place at the named loading point the car or cars so required; *Provided*, that if the application be for ten cars or more the carrier shall have eight full days in which to supply the cars, and for each twenty-four (24) hours delay or fraction thereof, on the part of such railroad company, in not placing such car or cars, at such loading point, beyond said allowed period, such railroad company shall become indebted, and on demand shall pay to such shipper the sum of one dollar for each and every car not so placed at such loading point within the time above named. When a shipper makes application to a railroad company to furnish one or more freight cars, specifies a future day, giving not less than ninety-six (96) hours notice when less than ten cars are ordered or eight days notice

16 when ten or more cars are required, then it shall be the duty of said railroad  
 17 company to furnish such car or cars on the day specified in the application.

#### AMENDMENT NO. 2.

Amend section 3 of House Bill No. 2 so that the same in so far shall read as follows: Commencing near the end of line 8 at the word "indebted" of the printed bill and continuing to end of section, "indebted and upon demand shall pay to the consignor or party whose interest may appear, the sum of one dollar for each and every car so received and not forwarded upon its lines within the time above allowed."

#### AMENDMENT NO. 3.

Amend at line 7 of section 4 of House Bill No. 2, the printed bill, beginning with the word "rate" so as to read, in so far, as follows: "rate of not less than average speed of sixty (60) miles per day of twenty-four hours; and upon the failure of such."

#### AMENDMENT NO. 4.

Amend section 4, commencing at line 10 of House Bill No. 2, the printed bill, at the words, "shall become indebted," so that the same, in so far, shall read as follows: "shall become indebted and on demand shall pay to the consignor or the party whose interest may appear, the sum of one dollar for each and every car for each twenty-four hours or fraction thereof consumed in the transportation of said car or cars in excess of the time herein prescribed; and in ascertaining the



time consumed in the shipment of such car or cars, the time shall begin to run twenty-four (24) hours after the date of the bill of lading or receipt given for said car or cars by said railroad company, which bill of lading or receipt shall be received by the courts of this State as *prima facie* evidence of the time when said car or cars were received by such company: *Provided*, That this shall not be construed to authorize such sixty (60) miles per day as a proper legal rate of speed for the transportation of live stock and perishable freight, nor release the railroad companies from any liability for their negligence in failing to handle such shipments at a prompt and reasonable rate of speed."

#### AMENDMENT NO. 5.

Amend section 5 commencing at line 8 of House Bill No. 2 of the printed bill, at the words "shall pay" so that the same, in so far, shall read as follows: "shall pay to the consignee or the party whose interest may appear, the sum of one dollar for each and every car not so delivered within the time herein allowed."

#### AMENDMENT NO. 6.

Amend House Bill No. 2, in section 18, of the printed bill, by striking out all of said section 18 after the word "recovered" in line 4 of said section; and by inserting in lieu thereof the following: "by the person aggrieved thereby, together with his reasonable attorney's fee to be fixed by the court, and costs of suit."

#### AMENDMENT NO. 7.

Amend section 20, of House Bill No. 2, the printed bill, by striking out



all of said section 20 after the word “existing” in line 5 of said printed bill.

#### AMENDMENT NO. 8.

Amend House Bill No. 2, in line 21 of said bill, the printed bill, by inserting between the words “for” and “the” in line 4 of said section 21 of said bill, the following: “the amount of all demurrage charges as in this Act provided, and in addition thereto.”

#### AMENDMENT NO. 9.

Amend House Bill No. 2, by striking out all of section 22 of the printed bill.

1 Introduced by Mr. Cermack, January 15, 1907.

2 Read first time, ordered printed and referred to Committee on Fees and Salaries,  
when appointed.

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## A BILL

For an act to provide for and fix the compensation of the members of the General  
Assembly of the State of Illinois..

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SECTION 1. *Be it enacted by the People of the State of Illinois*  
2 *represented in the General Assembly:* That the members of the General Assem-  
3 bly hereafter elected shall receive for their services the sum of two thousand  
4 dollars (\$2,000) for each regular session, three hundred dollars of which sum  
5 shall not be paid until the *sine die* adjournment of such regular session, and five  
6 dollars (\$5) per day for any special or called session, and ten (10) cents per  
7 mile for each mile necessarily traveled in going to and returning from the seat  
8 of government at each session, to be computed by the Auditor of Public Accounts.  
9 and no other allowance or emolument, directly or indirectly, for any purpose

10 whatsoever, except the sum of fifty (50) dollars per session to each member, which  
11 shall be in full for stationery, newspapers, postage and all other incidental ex-  
12 penses and perquisites.

Sec. 2. The pay and mileage allowed to each member of the General As-  
2 sembly shall be certified to by the President of the Senate and Speaker of the  
3 House of Representatives, and entered upon the journals and published at the  
4 close of the session.

Sec. 3. All acts in conflict herewith are hereby repealed.

- 1 Introduced by Mr. Chipperfield, January 15, 1907.
- 2 Read first time, ordered printed and referred to Committee on Appropriations.

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## A BILL

For an act to establish a surgical institution for children, and making an appropriation therefor.

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SECTION 1. *Be it enacted by the People of the State of Illinois*  
2 *represented in the General Assembly:* There is hereby authorized to be estab-  
3 lished a surgical institution in and for the State of Illinois for the surgical treat-  
4 ment of children under the age of fourteen years, suffering from physical deform-  
5 ities or injuries of a nature which will likely yield to surgical skill and treatment,  
6 and which unless so treated will probably make such children, in whole or in  
7 part, in after life, public charges.

Sec. 2. Said institute shall be known as the Illinois Surgical Institute for  
2 Children; and by such name shall be and constitute a corporation, under the  
3 laws of the State of Illinois.

Sec. 3. The purpose and object of said institute shall be to receive, treat and  
2 nurse such children, whose parents or guardians may be financially unable to

3 provide surgical treatment, as may be physically deformed, or suffering from  
 4 injuries requiring surgical treatment, to the end that their physical disabilities  
 5 may be removed, and that they may be thereby made able to become self-sustain-  
 6 ing, instead of being or becoming at some future time, public charges.

Sec. 4. The management and control of said institution shall be vested in  
 2 three trustees, who shall be discreet and capable men, and one of whom shall be  
 3 a reputable and skilled surgeon, all to be appointed by the Governor of the State  
 4 of Illinois, and to serve respectively one, two and three years from the date of  
 5 their appointment, the length of term of service of each to be specified in his com-  
 6 mission. Said trustees shall receive no compensation of any kind for their ser-  
 7 vices, over and beyond their actual traveling and incidental expenses, incurred in  
 8 connection with the discharge of their duties as such trustees.

Sec. 5. Any child under the age of fourteen, whose parents, or natural  
 2 guardian, may be unable to furnish proper surgical treatment and who may be in  
 3 need of the same, may be admitted to such institute, upon an order to that effect  
 4 made by the county judge of the county in which said child may have had a legal  
 5 residence for one year last past. The county treasurer of the county in which  
 6 said child may have so resided shall, upon the order of said county judge, furnish  
 7 said child with transportation from the place where said child may so reside to  
 8 the place of said institution and return. The order admitting said child shall,  
 9 when made, be filed with the superintendent of said institute, and said child shall  
 10 be admitted thereto in the regular order of filing as soon thereafter as said insti-  
 11 tute can provide room, care and attendance therefor. Said child, if deemed feas-  
 12 ible, shall be treated, nursed in said institute, until a recovery is effected, or it  
 13 becomes apparent that further treatment will be of no avail, whereupon it shall  
 14 be discharged and returned to its former place of residence.



Sec. 6. Said institute shall be located in that portion of Illinois which may  
2 be deemed most advantageous.

Sec. 7. On the appointment of said trustees they shall, by advertisement  
2 in not less than four of the daily newspapers published within the territory  
3 wherein the said institute shall be located, solicit the donation of a site for said  
4 home, describing the requirements thereof, which shall be a tract of land contain-  
5 ing not less than 160 acres, convenient to railroad transportation, and suitable  
6 for the purpose, taking into account healthfulness of the location, water supply,  
7 drainage and agriculture; and if a location satisfactory to the said trustees shall,  
8 within a time to be fixed by said trustees, be offered to be donated for said pur-  
9 pose, they may, upon investigation, finding the title to be good, free and clear,  
10 accept such offer; and cause proper conveyance thereof to be made to such in-  
11 stitute by the corporate name thereof.

Sec. 8. The Board of Trustees shall appoint a skilled and capable surgeon  
2 general superintendent, and may remove the same for cause to be stated, first hav-  
3 ing given such officer a copy of the charges against him, and reasonable notice of  
4 the time and place when such charges will be heard, and an opportunity to defend  
5 himself.

Sec. 9. All other officers and employes shall be appointed and removed by  
2 the said Board of Trustees, except insofar as is covered by the Civil Service Laws  
3 of Illinois.

Sec. 10. The compensation of the superintendent, officers and employes  
2 shall be fixed by the Board of Trustees.

Sec. 11. The Board of Trustees may from time to time accept and hold and  
2 use for the benefit of said institute or the inmates thereof, any gift, donation, be-

quest or devise of money or real or personal property, and may agree to and perform any condition of such gift, donation, bequest or devise not contrary to any law of the State.

Sec. 12. The Board of Trustees shall establish all needful rules and regulations for the management of said institute and of the inmates thereof.

Sec. 13. The Board of Trustees shall cause to be prepared, suitable plans and specifications for the building and improvements upon the site so selected, as may be necessary to carry into effect the purpose of this Act. The principal building shall be of sufficient size and capacity to permit the proper treatment and care of at least fifty patients at one time; said building to be plain and substantial in its type of architecture; of approved design for the purpose for which it is intended, and shall be constructed of fire-resisting materials.

Sec. 14. The plans and specifications, when prepared to the satisfaction of the Board of Trustees, shall be submitted to the Governor, with a detailed estimate of the cost of each and every building and improvement proposed to be made.

Sec. 15. When such plans are approved by the Governor, the Board of Trustees shall cause not less than thirty days' notice to be given, by publication in at least four daily newspapers, published in the State of Illinois, that sealed bids will be received for the construction of such building and improvements as the said board shall conclude to construct, at that time. Said notice shall specify when and the terms upon which bids will be received.

Sec. 16. No bid shall be accepted which is not accompanied by sufficient bond in the penal sum of \$10,000, payable to the People of the State of Illinois.

3 with at least three good and sufficient sureties conditioned that if his bid is ac-  
4 cepted, he will enter into a contract with said school, by its corporate name, for  
5 the doing of the work, and will give bond required by this Act, conditioned for  
6 the faithful performance of his contract. At the time and place specified in the  
7 notice and in the presence of such of the bidders as may appear, the bids shall  
8 be opened and the contract awarded to the lowest and best bidder, unless it shall  
9 appear that no satisfactory bid shall have been made, and if no satisfactory bid  
10 shall have been made, another notice shall be given in like manner for other bids  
11 until an acceptable bid shall be made. The trustees may accept bids for the par-  
12 ticular portions of the work if they can be advantageously separated.

Sec. 17. The contract to be made with the successful bidder shall be accom-  
2 panied by a good and sufficient bond, to be approved by the Governor before ac-  
3 cepted, conditioned for the faithful performance of his contract; shall provide  
4 for the appointment of a superintendent of construction, who shall receive not  
5 more than five dollars per day for his services, and who shall carefully and accur-  
6 ately measure the work done, and for the payment of the contractor upon the  
7 aforesaid measurement, and for the withholding of fifteen per cent of the value  
8 of the work done and materials on hand until the completion of the building and  
9 for a forfeiture of a stipulated sum per diem for every day that the completion  
10 of the work shall be delayed after the time specified for the completion in the  
11 contract, and for the full protection of all persons who may furnish labor or ma-  
12 terials by withholding payment from the contractor and by paying the parties to  
13 whom any moneys are due for service and materials, as aforesaid, directly for  
14 all work done or material furnished by them, in case of notice given to the trus-  
15 tees that any such party apprehends or fears that he will not receive all moneys  
16 due; and for the settlement of all disputed questions as to the value of alterations

17 and extras, by arbitration, at the time of final settlement, as follows: One arbi-  
 18 trator to be chosen by the trustees, one by the contractor and one by the Governor  
 19 of the State, all three of said arbitrators to be practical mechanics and builders,  
 20 and for the power and privilege of the trustees under the contract to alter  
 21 changes in the plans at their discretion, and to refuse to accept any work which  
 22 may be done not fully in accordance with the letter and spirit of the plans and  
 23 specifications, and all work not accepted shall be replaced at the expense of the  
 24 contractor, and for a deduction from the current price of all alterations ordered  
 25 by the trustees which may and do diminish the cost of the building. They may  
 26 also make such other provisions and conditions in said contract not hereinabove  
 27 specified as may seem to them necessary or expedient; *Provided*, that no condi-  
 28 tion shall be inserted contrary to the letter and spirit of this Act, and that in no  
 29 event shall the State be liable for a greater amount of money than is appropri-  
 30 ated for said building and its appurtenances.

Sec. 18. All contracts shall be signed by the president of the Board of Trus-  
 2 tees on behalf of the board, after a vote authorizing the president so to sign shall  
 3 have been entered upon the minutes of the board; and it shall be attested by the  
 4 signature of the secretary of the board and by the corporate seal. All contracts  
 5 shall be drawn in triplicate, and one copy shall be deposited in the office of the  
 6 Board of Public Charities of this State.

Sec. 19. All measurements or estimates on account of work in progress shall  
 2 show in detail the amount and character of the work estimated, and the estimates  
 3 shall be paid from the State Treasury only on the warrant of the Auditor of Pub-  
 4 lic Accounts on vouchers made by the said Board of Trustees and approved by  
 5 the Governor.



Sec. 20. The following sums are hereby appropriated: For the construction  
2 of said building and improvements, the sum of fifty thousand dollars; for the  
3 furnishing of said building, the sum of ten thousand dollars.





Introduced by Mr. Chipperfield, January 15, 1907.

Read first time, ordered printed and referred to Committee on Penal and Reformatory Institutions, when appointed.

## A BILL

For an Act to amend sections three (3), five (5), six (6), seven (7), eight (8), nine (9), ten (10), eleven (11), twelve (12), fourteen (14), fifteen (15) and sixteen (16) of an act entitled "An Act to regulate the employment of convicts and prisoners in the penal and reformatory institutions of the State of Illinois, and providing for the disposition of the products of their skill and industry," approved May 11, 1903, in force July 1, 1903, as amended by an act approved May 18, 1905, in force July 1, 1905.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That sections three (3), five (5), six (6), seven (7), eight (8), nine (9), ten (10), eleven (11), twelve (12), fourteen (14), fifteen (15) and sixteen (16) of an act entitled "An Act to regulate the employment of convicts and prisoners in the penal and reformatory institutions of the State of Illinois, and providing for the disposition of the products of their skill

and industry," approved May 11, 1903, in force July 1, 1903, as amended by an act approved May 18, 1905, in force July 1, 1905, shall be, and the same are hereby amended so as to read as follows:

Sec. 3. It shall be the duty of the Board of Prison Industries of Illinois to attend to the disposition and distribution of all the products of the skill and labor of said convicts and prisoners. They shall particularly be charged with the duty of seeing that, under no circumstances, shall any of the products of the labor of said convicts or prisoners mentioned in this Act be sold upon the open market, *or in conflict with the provisions of this Act.* They shall see that the said products do not enter into conflict with any of the established industries of the State, except as hereinafter provided. It shall be their duty at all times to inform themselves, so far as possible, of the industrial conditions of the State of Illinois, and to see that the labor of said convicts and prisoners does not enter into competition with the products of free labor, except as hereinafter provided.

Section 5. The Board of Prison Industries of Illinois, or the commissioners of said penitentiaries, or either of them, or the Board of Managers of said reformatory, shall not, nor shall any other authority whatsoever, make any contract by which the labor or time of any prisoner or convict in any penitentiary or reformatory of this State, or the product or profit of his work shall be contracted, let, farmed out, given or sold, to any person, firm, association or corporation; except that the said prisoners or convicts in said penal or reformatory institutions may work for and the products of their labor may be disposed of to the State, *or any political division thereof,* or for or to any public institution owned or managed and controlled by the State, *or any political division thereof, and the term "any political division thereof," wherever the same may be found in this Act, shall be held and construed by any court to include all school districts within the State of Illinois.*

Sec. 6. The wardens, superintendents, managers and officials of all reformatories and penitentiaries in the State shall, so far as practicable, cause all the prisoners in said institutions who are physically capable thereof, to be employed at useful labor not to exceed eight hours of each day, other than Sundays and public holidays, but such useful labor shall be either for the purpose of production of supplies for said institutions, or for the State, *or any political division thereof*, or for any public institution owned or managed and controlled by the State, *or any political division thereof*; or for the purpose of industrial training and instruction, or for the making of crushed rock for road material, and for the improvement of public grounds owned by the State, or use in and upon public buildings owned by the State, or for agricultuaral pursuits for the support of the inmates of the State institutions, or partly for one and partly for the other of such purposes, or a combination of all of said industries and employments: *Provided, however*, that it shall be the policy of the State to use in such industries no more machinery or motive power, other than hand and foot power, than may be required to successfully carry this Act into effect: *And provided, further*, that the board of managers of the said Illinois State Reformatory at Pontiac, may use all or any part of the eight hours provided herein for the labor of the convicts, in the giving of useful instruction to the inmates of said reformatory.

Sec. 7. The labor of the prisoners of the first grade in each of said penitentiaries and reformatories shall be directed with reference to fitting the prisoner to maintain himself by honest industry after his discharge from imprisonment as a primary or sole object of such labor, and such prisoners of the first grade may be so employed at hard labor for industrial training and instruction, even though no useful or salable products result from their labor, but only in case such industrial training or instruction can be more effectively given in such manner.

8 Otherwise, and so far as consistent with the primary object of the labor of pris-  
 9 oners of the first grade as aforesaid, the labor of such prisoners shall be so di-  
 10 rected as to produce the greatest amount of useful products, articles and sup-  
 11 plies needed and used in the said institutions, and in the buildings and offices of  
 12 the State, *or those of any political division thereof*, or in any public institutions  
 13 owned and managed and controlled by the State, *or any political division there-*  
 14 *of*, or said labor may be for the State, *or any political division thereof*.

Sec. 8. The labor of prisoners of the second grade in said penitentiaries  
 2 and reformatories shall be directed, primarily, to labor for the State, *or any po-*  
 3 *litical division thereof*, or to the production or manufacture of useful articles and  
 4 supplies for said institutions, or for any public institutions owned or managed  
 5 and controlled by the State, *or any political division thereof*.

Sec. 9. The labor of prisoners of the third grade in said penitentiaries and  
 2 reformatories shall be directed to such exercise as shall tend to the preservation  
 3 of health, or they shall be employed in labor for the State, *or any political di-*  
 4 *vision thereof*, or in the manufacture of such articles and supplies as are needed  
 5 and used in the said institutions, and in the public institutions owned or man-  
 6 aged and controlled by the State, *or any political division thereof*.

Sec. 10. All convicts sentenced to the State penitentiaries and reformato-  
 2 ries in this State shall be employed for the State, *or a political division thereof*,  
 3 or in productive industries for the benefit of the State, *or the political divisions*  
 4 *thereof*, or for the use of public institutions owned or managed and controlled by  
 5 the State, *or the political divisions thereof*, which shall be under rules and regu-  
 6 lations for the distribution and diversification thereof, to be established by the  
 7 Board of Prison Industries of Illinois.



Sec. 11. The labor of convicts in penitentiaries and reformatories in this State, after the necessary labor for the manufacture of all needed supplies for said institutions, shall be primarily devoted to the State, and the public institutions and buildings thereof, and the manufacture of supplies for the State, and the public institutions thereof, and, secondly, to the *political divisions of the State*, and the public institutions thereof.

Sec. 12. All crushed rock or other manufactured road material created by the labor of such convicts or prisoners shall be furnished free at such penitentiary or reformatory institutions, *to the various governing bodies of the various political divisions of the State of Illinois, in the order of application made therefor, and in such quantities as may be proportionately due for such political subdivision, considering the amount of such material made and on hand; but upon the express agreement that such material shall, within one year, be placed in a permanent public roadway, or a public building or upon public grounds.*

Sec. 14. The Board of Prison Industries of Illinois, and the superintendents of reformatories and wardens of penitentiaries respectively, are authorized and directed to cause to be manufactured by the convicts in the penitentiaries and reformatories, such articles as are needed, and used therein, and also such as are required by the State, *or any political division thereof*, and in the buildings, offices and public institutions owned or managed and controlled by the State, including articles and materials to be used in the erection of the buildings. All such articles manufactured in the penitentiaries and reformatories, and not required for use therein, may be furnished to the State, *or to any political division thereof*, at, and for such prices as shall be fixed and determined as hereinafter provided, upon the requisitions of the proper official, trustees or managers there-

12 of No articles so manufactured shall be purchased from any other source, for  
 13 the State or public institutions of the State, *or any political divisions thereof*,  
 14 unless said Board of Prison Industries of Illinois shall certify that the same can-  
 15 not be furnished upon such requisition, and no claim therefor shall be audited  
 16 or paid without such certificate.

Sec. 15. On or before October first, *in each year*, the proper officials in the  
 2 State, *and the political divisions thereof*, and of the institutions of the State, or  
 3 political divisions thereof, shall report to the said Board of Prison Industries of  
 4 Illinois, estimates for the ensuing year, of the amount of supplies of different  
 5 kinds required to be purchased by them that can be furnished by the penal insti-  
 6 tutions of the State. The said Board of Prison Industries of Illinois is author-  
 7 ized to make regulations for said reports, to provide for the manner in which  
 8 requisitions shall be made for supplies and to provide for the proper diversifica-  
 9 tion of the industries of said penal institutions.

Sec. 16. The President of the Board of Prison Industries of Illinois, the  
 2 President of the State Board of Public Charities; and the Auditor of Public Ac-  
 3 counts of Illinois are hereby constituted a board to be known as the Board of  
 4 Classification. Said board shall fix and determine the prices at which all labor  
 5 performed and all articles manufactured and furnished to the State, *or any polit-*  
 6 *ical division thereof*, or to the public institutions thereof, shall be furnished, which  
 7 prices shall be uniform to all. The price shall be as near the usual market price  
 8 for such labor and supplies as possible. The State Board of Prison Industries  
 9 shall devise and furnish to all such institutions a proper form for such requis-  
 10 ition, and the Auditor of Public Accounts shall devise and furnish a proper sys-  
 11 tem of accounts, to be kept for all such transactions. So far as practicable, all

12 supplies used in such buildings, offices and public institutions shall be uniform  
13 for each class, and of the styles, patterns, designs and qualities that can be manu  
14 factured in the penal and reformatory institutions of this State.



- 1 Introduced by Mr. Chipperfield, January 15, 1907.
- 2 Read first time, ordered printed and referred to Committee on Judiciary, when appointed.

## A BILL

For an Act to prevent improper treatment of prisoners or persons suspected of crime, by police and other officers or persons, for the purpose of attempting to obtain confessions or admissions, and to provide a penalty therefor.

SECTION 1. *Be it enacted by the People of the State of Illinois*

2 *represented in the General Assembly:* That any sheriff, deputy sheriff, baliff,  
3 chief of police, police officer, village marshal, constable, detective, state's attorney,  
4 city attorney, or any other person or persons, whose duty it is or may be to  
5 apprehend and arrest or prosecute any criminal in this State, who shall attempt  
6 to extort any confession or admission from any prisoner while in any way in the  
7 custody or under the control of any such officer or person, by means of any  
8 cruelty, trickery or deception, or by use of what is commonly known as the sweat  
9 box, or by beating, striking, assaulting; or threatening to beat, strike or assault,  
10 by making any threat whatsoever against said prisoner or against his person, by



11 depriving said person of food or drink, or of sleep, or by using what is known  
 12 as the "water-cure," or in any other way whatsoever, which is or may be, by  
 13 such officer or officers, devised, that may result in working upon the fears of any  
 14 person arrested for or charged with any crime, shall be deemed guilty of a fel-  
 15 ony, and shall, upon conviction, be punished by imprisonment in the penitentiary  
 16 not less than one nor more than ten years, and as a part of the judgment in such  
 17 case, upon conviction, he or they shall be removed from office and thereafter  
 18 forever held to be ineligible to hold any official position under the laws of the  
 19 State of Illinois, or any political sub-division thereof, which is either elective or  
 20 appointive.

Sec. 2. Any confession made to any sheriff, deputy sheriff, bailiff,  
 2 chief of police, police officer, village marshal, constable, state's attorney, city at-  
 3 torney or any other person whose duty it is to apprehend or arrest criminals,  
 4 or to prosecute the same, shall be held to be inadmissible in any criminal case,  
 5 unless the same has been signed and acknowledged to be the free and voluntary  
 6 act of such person, in the presence of some judge of a court of record, established  
 7 under the laws of the State of Illinois, and proved by the testimony of such  
 8 judge to have been freely and voluntarily made by the person so signing the  
 9 same.

Sec. 3. Any and all laws and parts of laws in conflict herewith are hereby  
 2 repealed.

Adopted March 20, 1907.

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## AMENDMENT NO. 1.

Amend House Bill No. 6 by striking out of line 5, section 1, after the word "apprehend" the word "and."

And the amendment was adopted.

## AMENDMENT NO. 2.

Amend House Bill No. 6 by inserting in line 5, section 1, after the word "arrest" the words "or detain."

And the amendment was adopted.

## AMENDMENT NO. 3.

Amend House Bill No. 6 by striking out of line 3, section 2, after the word "apprehend" the word "or."

And the amendment was adopted.

## AMENDMENT NO. 4.

Amend House Bill No. 6 by inserting in line 3, section 2, after the word "arrest" the words "or detain."

And the amendment was adopted.

## AMENDMENT NO. 5.

Amend House Bill No. 6 by inserting after the word "same" in line 4, section 2, the words "while under arrest."

And the amendment was adopted.

## AMENDMENT NO. 6.

Amend House Bill No. 6 by striking out the of line 7, section 2, after the word "of" the word "such."

And the amendment was adopted.

## AMENDMENT NO. 7.

Amend House Bill No. 6 by striking out of line 8, section 2, the first word "judge."

And the amendment was adopted.

## AMENDMENT NO. 8.

Amend House Bill No. 6 by inserting in line 8, section 2, at the beginning of the eighth line the words "some credible person."

And the amendment was adopted.

There being no further amendments, the foregoing amendments were ordered printed, and the question then being, "Shall the bill as amended, be engrossed for a third reading?" It was decided in the affirmative.





- 1 Introduced by Mr. Durfee, January 15, 1907.
- 2 Read first time, ordered printed and referred to Committee on Mines and Mining,  
when appointed.

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## A BILL

For an Act to amend an act entitled “An Act to revise the laws in relation to coal mines and subjects relating thereto, and providing for the health and safety of persons employed therein.”

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SECTION 1. *Be it enacted by the People of the State of Illinois*  
2 *represented in the General Assembly:* That Section 18, paragraph A of an Act  
3 to revise the laws in relation to coal mines and subjects relating thereto and pro-  
4 viding for the health and safety of persons employed therein, approved April 18,  
5 1899, in force July 1, 1899, as amended May 13, 1905, in force July 1, 1905, be and  
6 the same is hereby amended to read as follows:

Sec. 18. A mine examiner shall be required at all mines. His duty shall be  
2 to visit the mine *after each shot is fired therein* and before the men are per-  
3 mitted to enter it, and, first, he shall see that the air-current is traveling in its

4 proper course and in proper quantity. In order to correctly determine the quan-  
5 tity of air in circulation in different portions of the mine, it is hereby made his  
6 duty to measure, with an instrument for that purpose, the amount of air passing  
7 in the last cross-cut or break-through of each pair of entries, or in the last room  
8 of each division in a long-walled mine and at all other points where he deems it  
9 necessary, same to be noted in the daily Book kept for that purpose. He shall  
10 then inspect all places where men are expected to pass or to work and observe  
11 whether there are any recent falls or obstructions in rooms or roadways, or  
12 accumulations of gas or other unsafe conditions. He shall especially examine  
13 the edges and accessible parts of recent falls and old gobs and air-courses. As  
14 evidence of his examination of all working places, he shall inscribe on the walls  
15 of each, with chalk, the month and the day of the month of his visit.

- 1 Introduced by Mr. Egan, January 15, 1907.
- 2 Read first time, ordered printed and referred to Committee on Primary Elections,  
when appointed.

## A BILL

For an Act to provide for party nominations by direct vote.

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That hereafter all candidates for elective  
3 offices except township and school district offices, except as hereinafter provided,  
4 shall be nominated:

1. By a primary held in accordance with this Act, or

2. By petition as now provided by law.

3. Party candidates for the office of United States Senator shall be nominated  
8 in the manner provided for herein for the nomination of candidates for the State  
9 officers. This Act shall not apply to special elections to fill vacancies.

Sec. 2. The electors of any city, village or incorporated town now existing,  
or hereafter existing in this State, may adopt and become entitled to the benefit  
of this Act in the following manner; and unless so adopted this Act shall not ap-  
ply to cities, villages and incorporated towns:

Whenever one thousand of the legal voters of such city, village or incorpo-  
rated town, voting at the last preceding election, shall petition the judge of the  
county court of such county to submit to a vote of electors of said city, village or  
incorporated town, respectively, the proposition as to whether such city, village  
or incorporated town, respectively, and the electors therefor, shall adopt and be-  
come entitled to the benefits of this Act, it shall be the duty of such courts, and the  
judge thereof, to submit such proposition accordingly at the next succeeding gen-  
eral, State or county election, and if such proposition is not adopted and such  
election, the same shall, in like manner be submitted to a vote of the electors of  
such city, village or incorporated town by such court and the judge thereof, upon  
like application and at general, State or county election thereafter, and an order  
shall be entered on record in said county court submitting the proposition, as  
aforesaid. If one thousand shall exceed one-eighth of the legal voters of such city,  
village or incorporated town, respectively, voting at the last preceding general  
election, then such petition or application need not be signed or made by more  
than one-eighth of the legal voters of such city, village or incorporated town vot-  
ing at the last preceding election.

The judge of said county court shall give at least ten days' notice of election  
at which such proposition is to be submitted by publishing such notice in one or  
more newspapers published in the city, village or town for at least five times, the  
first publication to be at least ten days before the day of election; and if no news-  
paper is published in said city, village or town, then by posting at least twenty-

27 five copies of such notice in twenty-five of the most prominent places in such  
 28 city, village or incorporated town, respectively, at least ten days before such  
 29 election. Such election shall be held under the election law in force in such city,  
 30 village or incorporated town, except as herein otherwise provided. The proposi-  
 31 tion so to be voted for shall be on a separate ballot, in plain, prominent type,  
 32 and shall be prepared and provided for that purpose in the same manner as  
 33 other ballots, and shall be substantially in the following form:

For adoption of the act for party nomina-	Yes.	
tions by direct vote.	No.	

34 If a majority of the votes cast upon such proposition shall be voted for such  
 35 proposition, this Act shall thereby be adopted by such city, village, or incorpora-  
 36 ted town, respectively, and the judge of the county court of the county shall there-  
 37 upon enter of record an order declaring this Act in force in all parts of such city  
 38 village or incorporated town, respectively.

Sec. 3. A political party which at the general election then next preceding a  
 2 primary polled more than two per cent of the entire vote cast in the State is here-  
 3 by declared to be a political party within the State, and shall nominate all candi-  
 4 dates provided for in this Act, under the provisions hereof.

Sec. 4. The words and phrases in this Act shall, unless the same be incon-  
 2 sistent with the context, be construed as follows:

- 3 1. The word "Primary," the primary election provided for by this Act.
- 4 2. The word "Election," a general or city election, as distinguished from a
- 5 primary election.



3. The word "District," a district established by law within which all qualified voters vote at one polling place.

This Statute shall be liberally construed, so that the real will of the electors may not be defeated by any informality or failure to comply with all provisions of law in respect to either the giving of any notice, or the conducting of the primary or certifying the results thereof.

Sec. 5. Each election district now established, or which may hereafter be established, for the purpose of a general election, shall constitute a primary district.

Sec. 6. The primary, under this Act, shall be held in each primary district at the regularly established place for holding general elections on the last Saturday in April preceding each general election, and every two years thereafter, except that the primaries for any city, village or incorporated town, which may have adopted this Act as herein provided, shall be held on the first Saturday of March in the years in which their officers are to be elected.

The polls shall be open from six o'clock a. m. to seven o'clock p. m. The primary election day for the nomination of candidates to be voted upon at the next fall election shall also hereafter be the first registration day for the registration of voters, as now provided by law, and no voter shall be registered on said day who does not personally appear before the judges of election at such polling place in his primary district, and the register list shall also indicate in the appropriate column whether or not such voter voted in said primary, and the aggregate number of persons voting in each primary district shall be ascertained and certified by the judges and clerks thereof before the ballots of such primary shall be opened and counted.

Sec. 7. The regular election officers of general elections in each election

2 district shall be and hereby are constituted officers of primary elections in their  
3 respective districts.

4 The primary election judges and clerks, except as otherwise provided in this  
5 Act, shall perform the same duties, have the same powers, be subject to the same  
6 penalties, receive the same pay, and shall be paid by the same authorities and  
7 in the same manner as judges and clerks under the general election laws of this  
8 State: *Provided*, all such election officers shall receive but one per diem for  
9 their services as both registration and primary officers.

Sec. 8. Notice of such primary election shall be given at least fifteen (15)  
2 days prior to the day of the primary by the same authorities, and in the same  
3 manner in all respects, as required to be given by the laws governing general  
4 elections, except that no circle preceding the party appellation shall be printed  
5 on said ballot.

6 Such notice shall be printed, or partly printed and partly written for each  
7 primary district, which notice shall state the time and place of holding the pri-  
8 mary election in the primary district, the hours during which the polls will be  
9 open, the offices for which candidates will be voted for at such primary election  
10 in said primary district, and the political parties entitled to participate therein.  
11 Such notice shall be posted in three public places in each election district. But  
12 no failure or error in noticing shall invalidate any primary actually held, and  
13 any primary held pursuant to any notice substantially like the above notice shall  
14 be deemed to be held under this Act, and all justices of the peace and all judges  
15 of courts of record in the territory for which such primary is called shall take  
16 judicial notice of the holding of such primary under this Act.

17 The provisions of the statutes now in force in relation to the holding of elec-  
 18 tions, whether as to notice, certification of nominations, printing of ballots, the  
 19 solicitation of voters at the polls, the challenging of voters, the manner of con-  
 20 ducting elections, of counting the ballots and making and canvassing the returns  
 21 thereof, and all other kindred subjects, shall apply to all primaries, in so far as  
 22 they are consistent with this Act, the intent of this Act being to place the primary  
 23 under the regulation and protection of the laws now in force as to elections.

Sec. 9. The name of no candidate for nomination at any primary shall be  
 2 printed upon the primary ballot, unless at least twenty days and not more than  
 3 thirty days prior thereto, such candidate shall file a statement of his intention  
 4 substantially in the following form:

5 "I, ....., of ....., in the county of  
 6 .....and State of Illinois, certify that I am a member of and  
 7 affiliate with the.....party, and I hereby declare my intention of be-  
 8 coming a.....candidate for the nomination for.....and  
 (describe the office)

9 I hereby request that my name be placed upon the official primary ballot of said  
 10 .....party.  
 ....."

Sec. 10. Any voter at such primary election may, instead of voting for  
 2 any person whose name is printed on said ballot, write in the name of any other  
 3 person affiliated with such party not a candidate on any other ticket, upon the  
 4 ticket of his choice, as a candidate for any office, and indicate his choice of such  
 5 candidate in the same manner as if his name had been printed thereon. Candi-  
 6 dates for county commissioners, and for United States Senator and State officers.

except university trustees, shall be required in addition to such written request to file therewith a petition as hereinafter provided. Such petition shall be signed:

(a) If for a State office, by at least one per cent of the voters of the party of such candidate in each of at least ten counties of the State, and in the aggregate not less than one per cent of the total vote of his party in the State.

(b) If for a county commissioner, by at least one per cent of the voters of the party of such candidate of the total vote of his party in the county.

The basis of the percentage in each case should be the vote of the party at the last preceding presidential election.

Each signer of such petition shall sign but one such paper for the same office and shall declare that he intends to support the candidate named therein; he shall add his residence, with the street and number, if any, and the date of signing; all signers of each separate sheet of petition shall reside in the same district, in case of Cook county commissioners, and in the same county, in the case of State officers.

The affidavit of a qualified elector shall be appended to each such sheet of petition, stating that he is personally acquainted with all persons who have signed the same, and that he knows them to be electors of that district or county, as the petition may require; that he knows they signed the same with full knowledge of the contents thereof, and that their respective residences are stated therein, and that each signer signed the same on the date stated opposite his name, and that he, the affiant, intends to support the candidate named therein.



Sec. 11. All such written statements of intention to become a candidate  
 2 for any office, together with petition, when required as herein provided, shall be  
 3 filed as follows:

4 1. For State officers, United States Senators, Representatives in Congress  
 5 and for the General Assembly, whose districts comprise more than one county,  
 6 for the State Board of Equalization and Sanitary Trustees, whose districts com-  
 7 prise more than one county, in the office of Secretary of State.

8 2. For officers to be voted for wholly within the county, in the office of the  
 9 county clerk of such county.

10 3. For city, village or incorporated town officers, with the clerk thereof.

Sec. 12. The person receiving the highest number of votes at a primary  
 2 as the candidate of a party for an office, shall be the candidate of that party for  
 3 such office, and his name as such candidate shall be placed on the official ballot at  
 4 the following election: *Provided, however,* that where there shall be two or more  
 5 persons to be nominated for the same office or board, the persons receiving the  
 6 highest number of votes shall be nominated and their names shall be placed on  
 7 the official ballot at the following election.

Sec. 13. The County Central Committee of each political party, for any  
 2 primary district held in such county, may appoint in writing one regular chal-  
 3 lenger for such party: *Provided,* that upon application in writing signed by any  
 4 candidate affected by the vote of said primary, he may select an additional chal-  
 5 lenger. All challengers shall be qualified primary electors in their respective  
 6 primary districts: *Provided, however,* that in districts where any party has no  
 7 qualified voter in said primary district, then the chairman of the County Central



8 Committee shall select some qualified voter in the county to act as such challeng-  
 9 er in such district and said challenger so selected shall have all the rights and  
 10 powers as a challenger at any general election. The right of any person to vote  
 11 at a primary may be challenged upon the same ground and his right to vote be  
 12 determined in the same manner as at an election. No person shall be entitled to  
 13 vote at any primary, unless a qualified elector of the primary district. Any  
 14 person desiring to vote shall state his name, residence and party affiliation to the  
 15 primary judges, one of whom shall thereupon announce the name in a loud and  
 16 distinct tone of voice. If the person desiring to vote is not challenged, one of the  
 17 primary judges shall give to him one, and only one, ballot of the political party  
 18 with which he declares himself affiliated, on the back of which ballot such pri-  
 19 mary judge shall endorse his initials in such manner that they may be seen when  
 20 the ballot is properly folded. If the person desiring to vote is challenged, he  
 21 shall not receive a ballot until he shall have established his right to vote, as here-  
 22 inbefore provided. No person who refuses to state his party affiliation shall be  
 23 allowed to vote at a primary election.

Sec. 14. Not less than twenty (20) days prior to the date of the primary  
 2 election, the Secretary of State shall certify to the county clerk of each county the  
 3 names of all candidates for United States Senator, and all candidates for the  
 4 nomination for all State officers, together with the names of all candidates, whose  
 5 districts comprise more than one county, which are to be voted for in such coun-  
 6 ty, stating in such certificate the political affiliation and residence of each candi-  
 7 date for the nomination as specified in said petition.

8 The county clerk of each county and in cities, villages and incorporated  
 9 towns, the clerk thereof or the board of election commissioners, as the case may  
 10 be, shall prepare and cause to be printed the "Official Primary Ballot" of each

11 political party for each primary district in his respective county, city, village or  
 12 incorporated town.

Sec. 15. It is hereby made the duty of the county clerk of each county to be  
 2 printed upon the primary ballot of each political party for each primary district  
 3 in his county, the name of each candidate whose petition or written request or  
 4 both, as the case may be, has been filed in his office, as herein provided; and also  
 5 the name of each candidate whose name has been certified to his office by the Sec-  
 6 retary of State.

7 And in cities, villages and incorporated towns, the clerk thereof or the  
 8 board of election commissioners, as the case may be, shall cause to be printed  
 9 upon the primary ballot of each political party for each primary district within  
 10 such city, village or incorporated town, the name of each candidate whose writ-  
 11 ten request has been filed in his office as provided herein.

Sec. 16. The primary ballot of each political party at each primary election  
 2 preceding the general State election shall have printed thereon and immediately  
 3 under the names of the candidates for Representative in the General Assembly,  
 4 the following: "Shall one, two or three candidates for Representative in the  
 5 General Assembly be nominated by the.....party of the  
 : .....senatorial district to be voted for at the next general  
 7 election," and immediately below such proposition shall be printed the following:

8 For the nomination of one candidate,

9 For the nomination of two candidates,

10 For the nomination of three candidates,

11 and at the right of each of said three propositions shall be a square, in one of  
 12 which squares the voter shall designate by a cross his choice for the number of  
 13 such candidates for such representatives to be placed upon the ballot of such  
 14 party to be voted for at the next ensuing general election; and the highest num-  
 15 ber of votes cast in each senatorial district for any of said three propositions  
 16 shall determine the number of candidates to be placed upon the official ballot for  
 17 each party at the next ensuing general election for representatives in the Gen-  
 18 eral Assembly, for such district. In voting for representatives in the General  
 19 Assembly, each qualified voter may vote for one, two or three candidates as each  
 20 of said voters may elect.

Sec. 17. The primary ballot of each political party shall be separately  
 2 printed upon paper of uniform quality, texture and size, and in black ink; but the  
 3 "Primary Ballot" of no two political parties shall be of the same color or tint.

4 The county clerk or the clerk or board of election commissioners of any city,  
 5 city, village or incorporated town, as the case may be, shall, at least fifteen (15)  
 6 days prior to the date of the primary, post in a conspicuous place in the office  
 7 of such clerk or board, an announcement of the color of the primary ballots of the  
 8 respective parties and shall also publish such announcement, for at least one  
 9 week, in at least two newspapers of general circulation in the county.

10 On the back, or outside, of the "official primary ballot" of each district, so  
 11 as to appear when folded, shall be printed the words "official primary ballot,"  
 12 followed by the designation of said primary district, the date of the primary and  
 13 a fac simile of the signature of such clerk or board.

14 Such clerk or board shall cause to be delivered to the primary judges of each  
 15 primary district, not less than twelve hours before the time fixed for the open-  
 16 ing of the polls of the primary, the official primary ballots of each political party;

and the number thereof for each political party in each primary district shall be one hundred ballots for each fifty votes cast in said primary district by said political party at the last preceding general election.

The official primary ballots shall be put up in separate sealed packages, with marks on the outside clearly designating the primary district for which they are intended, and the number of ballots enclosed for each political party, and a receipt therefor shall be given by the primary judge to whom such ballots are delivered, which receipts shall be filed in the office of such clerk or board.

Such clerk or board shall provide and retain in the office of such clerk or board until after the primary an ample supply of extra official primary ballots for each political party in each primary district, and if at any time before or during the primary election the official primary ballots of any primary district shall be lost, destroyed or exhausted, on written application, signed by the primary judges of said primary district or any one of them, he shall immediately cause to be delivered to said primary judges such supply of extra official primary ballots as may be required to comply with the provisions of this Act.

Sec. 18. On the primary election ballot, where any party entitled to nominate candidates has no name of a person as a candidate for any named office, the designation of the office shall be printed, and beneath the designation of each office shall be printed a line with a square to the left thereof, on which line the voter may write in the name of any person for whom he may see fit to vote for said office, and when two or more candidates are to be nominated for any office herein provided for, there shall be as many lines as there are candidates to be elected to said office.

Sec. 19. Primary election ballot boxes shall be furnished by the same authorities and in the same manner and shall be of the same style and description



3 as ballot boxes furnished for the purpose of general elections under the general  
4 laws of this State.

Sec. 20. The clerk of the county, city, village or incorporated town, or  
2 board of election commissioners, as the case may be, shall furnish the primary  
3 judges and clerks of each primary district all necessary supplies, including regis-  
4 try poll books and tally sheets. The expense of conducting such primaries, in-  
5 cluding salaries of judges and clerks, the cost of ballot boxes, booths, registry  
6 books and poll books, return sheets, stationery supplies, including the printing  
7 and furnishing of primary ballots, polling places and such other expenses as are  
8 necessary and incidental to the carrying out of the provisions of this Act, shall  
9 be paid by the same authorities and in the same manner as under the general  
10 election laws of this State.

11 Each voter may write or paste in the space left on his ticket for that purpose  
12 the names of members of his party for party committeemen, equal in number to  
13 the number of committeemen to be chosen from the political subdivision of the  
14 county where the voter resides, and in like manner may vote for some member  
15 of his party for party committeeman for the State and for the delegate to the  
16 State convention, and the votes for such committeemen and for such delegates  
17 of the several parties be canvassed, and each person receiving the highest num-  
18 ber of votes on each ticket for such position, or the one determined forthwith  
19 by lot in case of a tie, shall be severally certified to the county clerk, in case of a  
20 county committeeman and State delegate, and to the Secretary of State, in case  
21 of State committeemen. The duly elected committeemen of such party shall  
22 serve for two years, or until their successors are elected and qualified. The com-  
23 mitteemen of each party elected within each county shall constitute the county  
24 central committee of such party, and shall within ten (10) days after their elec-



tion elect one of their number as chairman, and they shall elect such other officers as they may determine, and all such chairmen, in Congressional and Senatorial districts composed of more than one (1) county shall constitute the district committee of such party, and shall elect one of their number as chairman, and they shall elect such other officers as they may determine; and all such chairmen in Congressional and Senatorial districts composed of more than one (1) county shall constitute the Congressional and Senatorial committee, respectively. In any county, now or hereafter containing one or more Senatorial or Congressional districts, as the case may be; the party committeemen elected from such districts shall be members of the county central committee of such county. A committee of the party for the State shall be known as the State Central Committee. The committee of the party for the county, and for any political division thereof, shall be known of the County Central Committee.

Sec. 21. The State Central Committee of each party shall consist of one member from each Congressional district, who shall be elected by the voters of his district, in the manner provided by this Act, for the nomination of Congressional candidates, and in case of tie vote, those receiving the highest number of votes shall settle by lot who shall be the committeeman. The State Central Committee thus selected shall meet within fifteen (15) days after the primary at the city of Springfield, County of Sangamon, and the outgoing chairman shall also notify all the newly elected members of the time and place of said meeting, and they shall organize by electing one of their number chairman, another secretary and such other officers as they may deem necessary: *Provided*, that, for secretary the State Central Committee may select some suitable person, not a member of the Committee, whom they deem proper for such office, by a two-thirds vote.

13      *And, provided, further,* that in case of death, resignation or otherwise, creat-  
 14 ing a vacancy in the State or County Central Committee, as the case may be, such  
 15 vacancy shall be filled by such party committee.

16      The votes for committeeman shall be canvassed in the same manner and cer-  
 17 tificate issued as votes for nominees for other offices, and the name of each State  
 18 committeeman, with postoffice address, shall be sent to the chairman of  
 19 the respective party committees by the Secretary of State; the name of each  
 20 county committeeman, with postoffice address, shall be sent to the chairman of  
 21 the county central committee by the county clerk of the county wherein such com-  
 22 mitteeman resides. The Secretary of State, in the case of State Central Commit-  
 23 teemen, and the county clerk, in the case of county central committeemen, shall  
 24 send to each committeeman so elected, a certificate of election as soon as the can-  
 25 vass is completed.

Sec 22. Any person voted for at any such primary election, and declared  
 2 defeated, may contest the election of the candidates nominated upon the face of  
 3 the returns, and if he desires, he may secure a recount of the ballots cast for that  
 4 office, by filing with the county clerk, the Board of Election Commissioners, or  
 5 Secretary of State, as the case may be, within ten (10) days after such primary  
 6 election, his written demand for such recount, duly signed and acknowledged by  
 7 him, and thereupon, all such ballots cast by such party for said office shall be  
 8 produced before the county judge of the county in which said contestant was a  
 9 candidate, in case of contest for county or city office, or some county judge within  
 10 the district to be selected by the Secretary of State in case of any other office,  
 11 and such judge shall proceed in a summary manner to recount all such ballots,  
 12 and dispose of any other ground of contest, and ascertain and declare by a de-  
 13 cree, as in chancery, to be entered of record in the proper court, the result of

14 such election, and shall, in so doing, be deemed as acting in his judicial capacity,  
 15 but with plenary powers for the purpose of speedily ascertaining the true results  
 16 of the election. He shall also report in writing to the State's Attorney of the  
 17 proper county, any information which may come to his observation during such  
 18 recount, which, in his opinion, tends to show any violation of this Statute by any  
 19 person.

20 The decree so entered shall be final authority for the printing of the name of  
 21 the successful candidate upon the official ballot, but an appeal shall lie from such  
 22 decree to the Supreme Court, as in other cases.

23 *Provided,* That upon such appeal to the Supreme Court, the judges thereof  
 24 may convene in term time or vacation and decide such cases appealed to them.

Sec. 23. It is hereby made the duty of the grand jury of each county, at  
 2 each and every term, to inquire into violations of this Act.

Sec. 24. Any person who shall solicit or accept any bribe or promise of  
 2 gain of any kind in the nature of a bribe, as consideration for his vote, wheth-  
 3 er such bribe or promise of gain, in the nature of a bribe, be solicited or ac-  
 4 cepted before or after such voting, shall be deemed guilty of a misdemeanor,  
 5 and upon trial and conviction therefor shall be punished by a fine in a sum not  
 6 exceeding one thousand (1,000) dollars or imprisoned in the county jail for  
 7 not exceeding one (1) year, or both, in the discretion of the court.

Sec. 25. On receipt of his ballot, the voter shall forthwith and without  
 2 leaving the enclosed space, retire to one of the voting booths so provided, and  
 3 shall prepare his ballot by making in the appropriate margin or place an "X"  
 4 in the square opposite the name of the candidate or candidates of his choice, or  
 5 by writing or pasting in the name of the candidate or candidates of his choice,



on said ballot. Should he vote for more candidates than there are persons to be elected, then such ballot shall not be counted for any such candidates so marked, but shall be counted for the remaining candidates. If for any reason it is impossible to determine the voter's choice for any office to be filled, his ballot shall not be counted for such office.

Sec. 26. When a tie vote occurs between the candidates for an office, the tie forthwith shall be determined by lot by the election officers charged with the duty of canvassing the returns.

Sec. 27. In addition to canvassing the returns of the primaries for county offices, the county clerk or board of election commissioners of each county, or both, as the case may be, shall canvass and tabulate the returns from the various districts of the county and such portions of the county as lie beyond the jurisdiction of said board of election commissioners, for the several offices other than those of county or city offices, and shall immediately prepare and certify such tabulated statement, giving the entire vote of each candidate as shown by the returns from the primary of each district for all candidates; and forthwith forward a certified copy of such tabulated statement of the returns of each political party to the Secretary of State. Such tabulated statement and certificate shall be made separate for each party nominating candidates for such offices. Upon receipt of such tabulated returns, duly certified by the county clerks or the board of election commissioners, as the case may be, the Secretary of State, with the Auditor of Public Accounts, and if they both be of the same political party, then also the chairman of the State Committee of the opposite party casting the next highest number of votes at the last preceding general election, shall canvass such returns so tabulated and determine which candidate for each office for each political party, so certified, is entitled to have his name printed upon the official

19 ballot at the ensuing election, or to serve as State Committeeman by reason of  
 20 having received the highest number of votes cast for such candidate for such of-  
 21 fice. The Secretary of State shall thereupon notify all candidates of such deter-  
 22 mination by sending them a notice, as follows:

23 Springfield, Ill., .....

24 To Mr. ....

25 .....

26 You are hereby notified that in canvassing the returns for the county  
 27 clerks in ..... the following named candidates of the .....  
 28 ..... party have received the following number of votes for the office  
 29 of ..... to-wit:

Office.	Name of Candidate.	Total Number of Votes.
.....	.....	.....
.....	.....	.....
.....	.....	.....

30 And ..... having received the highest number of votes  
 31 east by said party in the ..... (district or State), who will receive a certifi-  
 32 cate of nomination for said office, unless a contest is filed in this office within ten  
 33 (10) days from the date hereof, as required by law.

34 Given under my hand and seal, this ..... day of ....., 19....

35 .....

36 Secretary of State.

37 If no contest is filed for such office by any candidate of such party within ten  
 38 days after such notification, the Secretary of State shall issue a certificate of  
 39 nomination to the successful candidate and notify the county clerks of such dis-



trict, or of the State, as the case may be, and said name shall then be placed upon the official ballot for the ensuing election.

Sec. 28. At least thirty days before the primaries for the fall election, the State Central Committee of the respective parties shall issue a call for a State delegate convention, in which call shall be fixed the ratio of delegate representation, and the time and place of meeting of the said delegate convention.

Such call shall forthwith be certified by the chairman and secretary of the State Central Committee to the clerks of the several counties throughout the State, and a copy of such call shall be published in at least one paper of general circulation in every county in this State once a week for two successive weeks preceding such primary. The delegates to the State convention who have been selected in the manner hereinbefore provided shall meet in State delegate convention at the time and place as set forth in call of the State Central Committee, in which convention the delegates shall adopt a party platform, determine matters of party policy and select delegates to the national convention.

Sec. 29. In case of any vacancy after the primary, the same may be filled by the party committee of that party upon whose ticket the vacancy occurs, of the State, county, district, city, village or incorporate town, as the case may be.

Sec. 30. Every day on which a primary shall be held for the fall elections shall be a legal holiday.

Sec. 31. It shall be the duty of the Secretary of State and Attorney General on or before July 1, 1907, to prepare all forms necessary to carry out the provisions of this Act, which forms shall be substantially followed in all primaries held in pursuance thereof.

Sec. 32. An act entitled "An Act to amend an Act entitled 'An Act provid-  
 2 ing for primary elections of delegates to nominating conventions of political par-  
 3 ties or organizations, and to promote the purity thereof by regulating the con-  
 4 duct thereof, and to support the privilege of free suffrage thereat, by prohibit-  
 5 ing certain acts and practices in relation thereto, and providing for the punish-  
 6 ment thereof;' " approved and in force Feb. 10, 1898; approved May 11, 1901, in  
 7 force July 1, 1901; and an act entitled "An Act to provide for the holding and  
 8 regulation of the primary elections," approved May 18, 1905, in force July 1,  
 9 1905; and all other acts and parts of acts inconsistent with this Act are hereby  
 10 repealed.

Sec. 33. In case there shall be in any county of this State more than one  
 2 County Central Committee claiming to be the regular committee, then and in that  
 3 case the County Central Committee that was elected by the nominating conven-  
 4 tion of 1904, and whose candidates were placed on the official ballot, shall be rec-  
 5 ognized as the County Central Committee for all purposes necessary under this  
 6 Act.

Sec. 34. This Act and all the provisions hereof shall apply to the nomina-  
 2 tion of candidates for the offices mentioned herein to be voted on at the general  
 3 election to be held on Tuesday next after the first Monday in November, A. D.  
 4 1907, the primaries therefor to be held on the second Saturday of September,  
 5 A. D. 1907.

- 1 Introduced by Mr. Fieldstack, January 15, 1907.
- 2 Read first time, ordered printed and referred to Committee on Corporations, when  
appointed

## A BILL

For an Act regulating voluntary associations and corporations not for pecuniary profit.

SECTION 1. *Be it enacted by the People of the State of Illinois*  
2 *represented in the General Assembly:* That all voluntary associations and cor-  
3 porations not for pecuniary profit sustained in whole or in part by contributions  
4 of money or articles of value shall be required to report to the Auditor of the  
5 State of Illinois on the 20th day of March and on the 20th day of October of each  
6 year, the name of each and every contributor or donor together with the amount  
7 of such contribution or donation and the date of the same and if the donation be  
8 other than money then the report shall state the value of the article, provided,  
9 however, that all associations or corporations for religious or insurance purposes  
10 shall not be required to make the said reports.

Sec. 2. Said reports of contributions and donations shall be made by the  
 2 Secretary of such association or corporation, or other officer acting in that capac-  
 3 ity, and the same shall be verified by his oath or affirmation and also by the oath  
 4 or affirmation of the President or presiding officer of such association or corpor-  
 5 ation, which report shall exhibit in detail and under appropriate heads the names  
 6 of the contributors and donors to the said corporation or association and amounts  
 7 thereof received from the date of the last report and the manner in which the  
 8 same has been expended.

The President and Secretary of each association or corporation shall cause  
 10 the said reports to be filed in the office of the Auditor within five days after the  
 11 days above set forth and any association or corporation failing to make and  
 12 file such report or to comply with any provision of this Act, shall be subject to  
 13 a penalty of one hundred dollars (\$100.00) for each day after five days that such  
 14 report is delayed beyond that time, and the said officers, respectively, shall be  
 15 subject to a penalty of fifty dollars (\$50.00) for each day after five days that  
 16 such report is delayed beyond that time or to imprisonment not to exceed thirty  
 17 days in the county jail, or both.

Sec. 3. Said Auditor shall cause such reports to be published at the expense  
 2 of such association or corporation in some newspaper published in the city or  
 3 town where the principal office of such association or corporation is located, or if  
 4 no newspaper is published in such town or city then in the nearest newspaper to  
 5 such town. Every such report shall be accompanied by a fee of five dollars (\$5)  
 6 to defray the expense of examining the same and preparing it for publication.

Sec. 4. The Auditor, as often as he shall deem necessary or proper, and at  
 2 least twice in each year shall appoint a suitable person or persons to make an ex-  
 3 amination of the affairs of each such association or corporation, which person

4 shall not be a member or employee of any such association or corporation which  
5 he may be directed to examine, and who shall have power to make a thorough  
6 examination into all the affairs of the said association or corporation and in so do-  
7 ing to examine any of the officers or agents thereof on oath and shall make a full  
8 and detailed report of the condition thereof to the Auditor. And every person  
9 appointed to make such examination shall receive for his services at the rate of  
10 ten dollars (\$10.00) per day for each day by him employed in such examination  
11 which shall be paid by the association or corporation examined.





- 1 Introduced by Mr. Hearn, January 15, 1907.
- 2 Read first time, ordered printed and referred to Committee on Appropriations.

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## A BILL

For an act making an appropriation for constructing and erecting a monument in Riverview Park, at Quincy, Illinois, to the memory of General George Rogers Clark.

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WHEREAS, General George Rogers Clark, with prophetic vision was enabled,  
2 during the Revolutionary period of our history, to see, in that great region lying  
3 between the Ohio, the Great Lakes, and the Mississippi, territory of most strate-  
4 gic value, boundless wealth, and wondrous opportunity; and who by the authority  
5 of a council of Virginia statesmen, composed of Patrick Henry, Thomas Jefferson,  
6 George Mason and George Wythe, at almost inconceivable peril to himself and his  
7 followers, swept it free from marauding band and lurking foe, and organized it as  
8 a county of the Old Dominion. Through the munificence of that Commonwealth,  
9 and by the provisions of The Ordinance of 1787, drafted by Jefferson, it became  
10 the North West Territory. A portion, in 1809, was made the Territory of Illinois,  
11 and from this conception, was born, in 1818, Illinois, fairest of the sisterhood of  
12 states,

More than a century has gone by, and as yet no fitting tribute to the memory  
 2 and achievements of this remarkable man has been established. Therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois*  
 2 *represented in the General Assembly:* That there be, and hereby is, appropria-  
 3 ted the sum of twenty thousand dollars. or so much thereof as may be necessary  
 4 to be expended in the construction and erection of a suitable monument in  
 5 memory of the said General George Rogers Clark. Said monument to be erected  
 6 on the east bank of the Mississippi river and in Riverview park, in the City of  
 7 Quincy, which bold promontory is the most western point of high land in all Illi-  
 8 nois.

Sec. 2. The design, construction and erection of said monument shall be  
 2 under the supervision and construction of a commission of five members, not  
 3 more than three members to be of any one political party, to be appointed by the  
 4 Governor, who shall serve without pay except for their actual expenses.

All bills for expenditures with this appropriation shall be paid upon certi-  
 6 cates of approval signed by at least three members of said Commission, and by  
 7 the Governor, and the Auditor shall issue his warrant for the same out of any  
 8 money not otherwise appropriated.

AMENDMENTS TO  
45th Assem. HOUSE—No. 10 Apr. 1907

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Amendments to House Bill No. 10 adopted by the House April 9th, 1907.

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AMENDMENT NO. 1.

Amend House Bill No. 10 by striking out in line 3 of the printed bill the word "twenty" and inserting in lieu thereof the word "six."





1 Introduced by Mr. Hearn, January 15, 1907.

2 Read first time, ordered printed and referred to Committee on Railroads, when ap-  
pointed.

## A BILL

For an Act to amend section one, of an act entitled "An Act to prevent extortion and unjust discrimination in the rates charged for the transportation of passengers and freight on railroads in this State and to punish the same, and prescribe a mode of procedure and rules of evidence in relation thereto, and to repeal an act entitled "An Act to prevent unjust discriminations and extortions in the rates to be charged by the different railroads in this State for the transportation of freights on said roads," approved April 7, A. D. 1871, (approved May 2, 1873, in force July 1, 1873)..

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SECTION 1. EXTORTION.—*Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* If any railroad corporation, organized or  
3 doing business in this State under any act or incorporation, or general law of this  
4 State, now in force or which may hereafter be enacted, or any railroad corporation  
5 organized or which may hereafter be organized under the laws of any other state,

6 and doing business in this State shall charge, collect, demand, or receive *a greater*  
7 *rate of toll or compensation for the transportation of passengers than two cents*  
8 *per mile*, or more than a fair and reasonable rate or compensation for the trans-  
9 portation of freight, of any description or for the use and transportation of any  
10 railroad car upon its track, or any of the branches thereof, or upon any railroad  
11 within this State which it has the right, license or permission to use, operate, or  
12 control, the same shall be deemed guilty of extortion, and upon conviction thereof  
13 shall be dealt with as hereinafter provided. (See Const. Art. 11, Sec. 15.)

Introduced by Mr. Hearn, January 15, 1907.

Read first time, ordered printed and referred to Committee on Miscellaneous Subjects, when appointed.

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## A BILL

for an Act to regulate sleeping car companies, and to provide penalties for violations of such regulations.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That for transportation, and sleeper berths accommodation in all cars provided by any railroad company, partnership firm, or individual, for that purpose, running or operating trains, or coaches, for the conveyance of passengers, with sleeping car accommodations, the charge for such sleeping car accommodations shall be not to exceed one dollar and fifty cents (\$1.50) for twelve hours' ride or less for each lower berth, and not to exceed one dollar (\$1.00) for twelve hours' ride or less for each upper berth, and any company, corporation, partnership firm, or individual so engaged in carrying passengers in cars furnished with such accommodations and furnishing such berths who shall charge in excess of said rates, shall be guilty of a misdemeanor, and for each

12 violation of this Act shall be liable to indictment and fine of not less than \$100.00,  
13 and not more than \$500.00 for each offense.

Sec. 2. It is hereby made the duty of all sleeping car companies to have in  
2 each of its cars, a suitable and safe place for the deposit, upon a receipt from the  
3 person in charge of said car, of money, jewelry, and other valuable articles be-  
4 longing to its passengers.

Sec. 3. The said companies shall have until January 1st, 1908, to prepare  
2 and provide their cars with said safe repositories.

Sec. 4. Any such company violating the provisions of this Act shall be lia-  
2 ble to any of its passengers for the full value of any such property lost in any of  
3 its cars and in addition shall be subject to a fine of not less than one hundred  
4 dollars (\$100.00) nor more than five hundred dollars (\$500.00) for each violation  
5 of this Act.

- 1 Introduced by Mr. Henby, January 15, 1907.
- 2 Read first time, ordered printed and referred to Committee on Judiciary, when  
appointed.

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## A BILL

For an Act entitled "An Act to amend Section 246 of the Criminal Code, relating to  
the definition and punishment for the crime of robbery."

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SECTION 246. *Be it enacted by the people of the State of Illinois, represent-*  
2 *ed in the General Assembly:* That Section 246 of the Criminal Code, relating to  
3 the definition and punishment of the crime of robbery be and the same is hereby  
4 amended, by substituting the words "*shall be,*" in lieu of the words "*may be*"  
5 appearing after the words "*aid or abet him*" and by striking out the last seven  
6 words of said Section 264, and substituting the word "*life*" in lieu thereof, so  
7 that said Section 264 shall read as follows:

SECTION 246. Robbery is the felonious and violent taking of money, goods  
2 or other valuable thing,\* from the person of another by force or intimidation.  
3 Every person guilty of robbery shall be imprisoned in the penitentiary not less



4 than one year, nor more than fourteen years; or if he is armed with a dangerous  
5 weapon, with intent, if resisted, to kill or maim, such person, or being so armed,  
6 he wounds or strikes him, or if he has any confederate present so armed, to aid  
7 or abet him, he shall be imprisoned for life.

Introduced by Mr. Henby, January 15, 1907. .

2 Read first time, ordered printed and referred to Committee on Judiciary, when  
appointed.

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## A BILL

For an Act entitled “An Act to repeal Sections 259, 260, 261, and 262 of the Criminal Code.”

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented*  
2 *in the General Assembly:* That sections numbered 259, 260, 261, and 262, of the  
3 Criminal Code of this State, be and the same are hereby repealed and of no fur-  
4 ther force and effect.



1 Introduced by Mr. Henby, January 15, 1907.

2 Read first time, ordered printed and referred to Committee on Appropriations.

## A BILL

For an Act entitled "An Act to create a Special Railway Commission to investigate the cause of railway accidents and disasters, and to appropriate an amount not exceeding \$3,000.00 to defray the expense thereof."

SECTION 1. *Be it enacted by the people of the State of Illinois,*

2 *represented in the General Assembly:* That there shall be created a commission  
3 to be known as the Special Railway Commission, consisting of five persons, one  
4 to be appointed by the Governor, two by the Speaker of the House, from the body  
5 of the House, and two by the President of the Senate from the body of the Sen-  
6 ate, whose duty it is hereby made to investigate and determine the causes of rail-  
7 way and other disasters to common carriers, with a view to the enforcement or  
8 adoption of legislation tending to secure a greater protection to travelers and  
9 passengers traveling upon railways and other common carriers and the prose-  
10 cution of common carriers or their officers or agents, guilty of failure to provide  
11 means of safe travel.

Sec. 2. It is hereby made the duty of said Commission to report its doings

2 and actions, together with its findings, conclusions and recommendations to the  
3 45th General Assembly if possible, otherwise to the 46th General Assembly of  
4 this State.

Sec. 3. Said Commission is hereby granted full, all necessary and proper

2 power to compel attendance of witnesses by subpoena as provided by the Stat-  
3 utes of this State.

Sec. 4. Said Commission is hereby authorized to select its own officers.

Sec. 5. For the purpose of defraying the expenses of such investigation,

2 the sum of three thousand dollars (\$3,000.00) or so much thereof as may be nec-  
3 essary, is hereby appropriated out of the State Treasury and the Auditor of Pub-  
4 lic Accounts is hereby directed to draw his warrant on the Treasurer of State  
5 for such sums as may be expended upon bills of particulars to be approved by  
6 the Governor.

Sec. 6. Whereas an emergency exists, this Act shall take force and effect

2 from and after its passage.



- 1 Introduced by Mr. King, January 15, 1907.
- 2 Read first time, ordered printed and referred to Committee on Judiciary, when  
appointed.

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## A BILL

For an Act relating to the liability of employers to their employees for personal injuries.

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SECTION 1. *Be it enacted by the people of the State of Illinois,*  
2 *represented in the General Assembly:* That in all actions hereafter brought  
3 against any employer to recover damages for personal injuries to an employee,  
4 or where such injuries have resulted in his death, no contract of employment, in-  
5 surance, relief benefit, pension, or indemnity for injury or death entered into or  
6 on behalf of any employee, nor the acceptance of any such insurance, relief ben-  
7 efit, pension, or indemnity by the person entitled thereto, shall constitute any  
8 bar or defense to any action brought to recover damages for personal injuries to  
9 or death of such employee: *Provided, however,* That upon the trial of such action  
10 against such employer the defendant may set off therein any sum such employer

11 has contributed toward any such insurance, relief benefit, pension or indemnity  
12 that may have been paid to the injured employee, or in case of his death, to his  
13 personal representative.

AMENDMENTS TO

45th Assem.

HOUSE—No. 16

Feb. 1907

1 Adopted February 28, 1907.

AMENDMENT NO. 1.

Amend title to House Bill No. 16 by inserting after the word "injuries" the following words: "and providing that in all actions hereafter brought against any employer to recover damages for personal injuries to an employee or where such injuries have resulted in his death, no contract of employment, insurance, relief benefit, pension or indemnity for injury or death entered into or on behalf of any employee, nor the acceptance of any such insurance, relief, benefit, pension, or indemnity by the person entitled thereto, shall constitute any bar or defense to any action brought to recover damages for personal injuries to or death of such employee, and providing that upon the trial of such action against such employer the defendant may set off therein any sum such employer has contributed toward any such insurance, relief benefit, pension or indemnity that may have been paid to the injured employee, or in case of his death, to his personal representative."

AMENDMENT NO. 2.

Amend amendment to Judiciary Committee to title of House Bill No. 16 by inserting after the words "entered into" the word "by" and also by inserting after the words "any employee" the following, "after this Act shall become in force," and also by inserting after the word "thereto" the following, "under any such contract."

## AMENDMENT NO. 3.

Amend House Bill No. 16 by inserting in line 6 of section 1, after the word "employee" the following "after this Act shall become in force," also by inserting in line 7 of section 1 after the word "thereto" the following, "under any such contract."

- 1 Introduced by Mr. King, January 15, 1907.
- 2 Read first time, ordered printed and referred to Committee on Municipal Corporations, when appointed.

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## A BILL

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For an Act to amend an act entitled “An Act to provide for the incorporation of cities and villages,” approved April 10, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the people of the State of Illinois,*  
2 *represented in the General Assembly:* That Section one (1) of Article five (5),  
3 an Act entitled “An Act to provide for the incorporation of cities and villages,”  
4 approved April 10, 1872, in force July 1, 1872, be amended by adding thereto the  
5 following additional clause, to-wit:

*Ninety-Seventh—To regulate the sale of gas and electricity, to fix the price*  
2 *and the standard of quality thereof, and to provide for the inspection of the*  
3 *same,*





- 1 Introduced by Mr. Levere, January 15, 1907.
- 2 Read first time, ordered printed and referred to Committee on Judiciary, when  
appointed.

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## A BILL

An Act to amend an Act entitled “An Act to revise the law in relation to criminal jurisprudence, approved March 27, 1874, in force July 1, 1874, and all acts amendatory thereto, by adding thereto the following to be known as Section 2½, of Division one.

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SECTION 1. *Be it enacted by the people of the State of Illinois,*  
2 *represented in the General Assembly:* That an Act entitled “An Act to revise  
3 the law in relation to Criminal Jurisprudence, approved March 27, 1874, in  
4 force July 1, 1874, and all acts amendatory thereto,” be and the same is hereby  
5 amended, by adding thereto the following to be known as Section 2½ of Division  
6 one:

Section 2½. That every person who shall without good cause abandon his  
2 wife and wilfully neglect and refuse to maintain and provide for her, or who

3 shall abandon his or her minor child or children, under the age of fourteen years  
4 in destitute or necessitous circumstances and wilfully neglect or refuse to main-  
5 tain or provide for such child or children shall be imprisoned in the penitentiary  
6 not less than one nor more than five years.

Sec. 2. All acts or portions of acts in conflict herewith be and the same are  
2 hereby repealed.

- 1 Introduced by Mr. Lindley, January 15, 1907.
- 2 Read first time, ordered printed and referred to Committee on Education, when  
appointed.

## A BILL

For an act to provide for the establishing and use of a uniform series of school text books in the free public schools of the State.

SECTION 1. *Be it enacted by the people of the State of Illinois,*  
2 *represented in the General Assembly:* That for the purposes of carrying out the  
3 provisions of this Act, there is hereby created a School Text Book Commission,  
4 consisting of five members, as follows: The State Superintendent of Public In-  
5 struction, the President of the State University, and three other competent and  
6 well qualified citizens of the State, to be appointed by the Governor.

Sec. 2. The term of office of such School Text Book Commission shall be five  
2 years from the date of appointment and until their successors shall have been  
3 appointed. And at the expiration of each succeeding term of such appointive  
4 officers, the Governor shall, within thirty days thereafter, appoint competent  
5 and well qualified persons as their successors.

Sec. 3. Members of such School Text Book Commission shall receive as  
 2 compensation five hundred dollars (\$500) per annum, payable quarterly, in ad-  
 3 vance, together with actual and necessary expenses incident to the performance  
 4 of their duties: *Provided*, that the State Superintendent of Public Instruction and  
 5 the President of the State University, members respectively of this Commission,  
 6 shall not receive anything more than their actual and necessary expenses inci-  
 7 dent to the performance of their duties as members of such Commission.

Sec. 4. Within ten days after their appointment, the Commission shall  
 2 meet in the city of Springfield, Illinois, at the office of the State Superintendent  
 3 of Public Instruction, for the purpose of organizing the Commission and the  
 4 transaction of business. And the regular meetings of this Commission shall  
 5 thereafter be held semi-annually: *Provided*, special or called meetings may be  
 6 held upon the call of the president of the Commission and the business of the  
 7 Commission so requiring: *Provided, further*, that the office of the Commission  
 8 shall be in the office of the State Superintendent of Public Instruction and all  
 9 meetings shall be held in this office so far as practicable.

Sec. 5. The officers of the Commission shall consist of president, vice  
 2 president and secretary, all of whom shall be elected from the members of the  
 3 Commission. It shall be the duty of the Secretary to have charge of all books  
 4 and records, papers and documents of whatsoever kind belonging to the Com-  
 5 mission, and all of which shall be deposited and kept in the office of the State  
 6 Superintendent of Public Instruction. It shall be his further duty to keep a  
 7 correct record of all proceedings, votes and actions of this Commission. And all  
 8 votes upon any proposition submitted to this Commission shall be yea and nay  
 9 and recorded in the journal of the day's proceedings. No person except mem-



bers of this Commission shall be present at or cognizant of any proceedings of this Commission during any time that it is in session, and no member of this Commission shall, during any meeting of this Commission, give any information to any person or persons concerning any business transacted, or in course of transaction, at any session of this Commission until after all the business of the session is concluded.

Sec. 6. The school books adopted by the School Text Book Commission hereby provided for, must and shall be used in all free public schools of the State, after September 1, 1906: *Provided*, that counties which have adopted a uniform text book system and are now working under the same may be given until September 1, 1907, to dispose of those books and adopt the text books required by this Act.

Sec. 7. The School Text Book Commission herein provided for shall be empowered, and is hereby authorized to select and adopt a uniform series of school text books for use in the public schools of the State of Illinois, in the following named branches, to-wit: Spelling, reading, arithmetic, geography, English grammar, physiology and hygiene, history of the United States, civil government, elements of algebra and physical geography, elements of natural philosophy and a graded series of writing books, or any other text book, which such Commission may deem to be to the best interest of the public schools of this State: *Provided*, that no text book shall be adopted that contains anything of a partisan or sectarian character.

Sec. 8. Any person, company or corporation, desiring to make any bid or bids upon any of the matters provided for in this Act, shall submit the same in writing together with an unconditional certified check for \$1,000, payable to

the chairman of the Commission, to be forfeited to the State if such party shall fail to enter into proper bond and make the required contract if awarded to him, carefully sealed and addressed to the chairman of the School Text Book Commission, Springfield, Illinois, and said chairman shall preserve the same, unopened, until the time of meeting of said Commission.

Sec. 9. The Board of Commissioners shall, immediately upon their organization, advertise for twenty-one consecutive days in two daily papers published in this State, having the largest circulation, and in one newspaper of general circulation in the cities of New York, Philadelphia, Cincinnati and St. Louis, that at a time and place to be fixed by said notice, and not later than three months after the first publication thereof, said Board will receive sealed proposals on the following:

*First.* From publishers of school text books, for furnishing books to the boards of education and boards of school directors of the various school districts of the State of Illinois for the use in the common schools of this State as provided in this Act, for a term of five years, stating specifically in such bid the price at which each book will be furnished and accompany such bid with specimen copies of each and all books proposed to be furnished in such bid.

*Second.* From authors of school text books who have manuscripts of books not published, for prices at which they will sell their manuscripts, together with the copyright of such books, for use in the public schools of the State of Illinois.

*Third.* From persons who are willing to undertake the compilation of a book or books, or a series of books, as provided for in section seven (7) of this Act, the price at which they are willing to undertake such compilation of any or all of such books, to the acceptance and satisfaction of the said Board of Commissioners: *Provided*, that any and all bids by publishers, herein provided for,

22 must be accompanied by a bond in the penal sum of fifty thousand dollars with  
 23 resident freehold security, to the acceptance and satisfaction of the Governor  
 24 of this State, conditioned that if any contract be awarded to any bidder here-  
 25 under, such bidder will enter into a contract to perform the conditions of his  
 26 bid to the acceptance and satisfaction of said Board: *And, provided, further,*  
 27 that no bid shall be considered unless the same be accompanied by the affidavit  
 28 of the bidder that he is in no wise directly or indirectly connected with any  
 29 other publisher or firm who is now bidding for books submitted to such Board,  
 30 nor has any pecuniary interest in any other publisher or firm bidding at the  
 31 same time, and that he is not a party to any compact, syndicate or other  
 32 scheme whereby the benefits of competition are denied to the people of this  
 33 State: *And, be it further provided,* that if any competent author or authors  
 34 shall compile one or more books of the first order of excellence and shall offer  
 35 the same as a free gift to the people of this State, together with the copyright  
 36 of the same and the right to manufacture and sell such works in the State of  
 37 Illinois, for use in the public schools, it shall be the duty of such Board of Com-  
 38 missioners to pay no money for any manuscript or copyright for such book  
 39 or books on the subject treated of in the manuscript so donated; and such Board  
 40 shall have the right to reject any and all bids, and at their option such Board  
 41 shall have the right to reject any bid as to a part of such books, and to accept  
 42 the same as to the residue thereof.

Sec. 10. It shall be the duty of such Board to meet at the time and place  
 2 mentioned in such notice, and open and examine all sealed proposals received  
 3 pursuant to the notice provided for in section nine (9) of this Act, and it shall  
 4 be the further duty of such Board to make a full, complete and thorough investi-  
 5 gation of all such bids or proposals and to ascertain under which of said pro-

6 proposals or propositions the school books could be furnished to the people of this  
 7 State for use in common schools at the lowest price, taking into consideration  
 8 the size and quality, as to matter, material, style of binding and mechanical exe-  
 9 cution of such books: *Provided, always,* that such Board shall not, in any case,  
 10 contract with any author, publisher or publishers, for the furnishing of any  
 11 book, manuscript, copyright or books, which shall be sold to patrons for the  
 12 use in the public schools of this State at a price above or in excess of the fol-  
 13 lowing, which prices shall include all cost and charge for transportation and  
 14 delivery to the several county school superintendents in this State as they may  
 15 direct, namely: For a spelling book, fifteen (15) cents; for a first reader, fifteen  
 16 (15) cents; for a second reader, twenty (20) cents; for a third reader, thirty  
 17 (30) cents; for a fourth reader, forty (40) cents; for a fifth reader, fifty (50)  
 18 cents; for a mental arithmetic, twenty-five (25) cents; for an arithmetic, inter-  
 19 mediate, thirty-five (35) cents; for an arithmetic, complete, fifty (50) cents;  
 20 for a geography, elementary, thirty-five (35) cents; for a geography, complete,  
 21 seventy-five (75) cents; for an English grammar, elementary, twenty-five (25)  
 22 cents; for an English grammar, complete, fifty (50) cents; for a physiology and  
 23 hygiene, fifty (50) cents; for a primary history of the United States, fifty (50)  
 24 cents; for a grammar school history of the United States, seventy-five (75)  
 25 cents; for elements of natural philosophy, fifty (50) cents; for civil government,  
 26 fifty (50) cents; for elementary algebra, fifty (50) cents; for physical geog-  
 27 raphy, eighty (80) cents; for copy books, each five (5) cents.

Sec. 11. If, upon the examination of such proposals, it shall be the  
 2 opinion of such Board of Commissioners that such books can be furnished  
 3 cheaper to the patrons for use in the common schools in the State by procuring  
 4 and causing to be published the manuscript of any or all of such books, it shall



5 be their duty to procure such manuscript and to advertise for sealed proposals  
 6 for publishing the same, in like manner as hereinbefore provided and under  
 7 the same conditions and restrictions. And such contract may be let for the  
 8 publication of all such books, or for any one or more of such books separately;  
 9 and it shall be the further duty of such Board of Commissioners to provide in  
 10 the contract for the publication of any such manuscript for the payment, by the  
 11 publisher, of the compensation agreed between such Board and the author or  
 12 owner of any such manuscript for such manuscript, together with the cost or ex-  
 13 pense of copyrighting the same.

Sec. 12. It shall be a part of the terms and conditions of every contract  
 2 made in pursuance of this Act that the State of Illinois shall not be liable to any  
 3 contractor hereunder for any sum whatever; but that all such contractors shall  
 4 receive their pay and compensation solely and exclusively from the proceeds of  
 5 the sale of the books, as provided for in this Act.

Sec. 13. As soon as such board shall have entered into any contract for  
 2 the furnishing of books for use in the public schools of this State, pursuant to  
 3 the provisions of this Act, it shall be the duty of the Governor to issue his procla-  
 4 mation announcing such fact to the people of this State.

Sec. 14. The party or parties with whom contracts for supplying text  
 2 books shall be made shall establish and maintain two or more depositories in  
 3 the State, to be designated by the Commission, where a stock or supply of the  
 4 books sufficient to meet all the immediate demands shall be kept. There shall  
 5 also be maintained in each county in the State not less than three agencies, for  
 6 distribution of the books to the patrons, to be located and designated by  
 7 the Commission, and the contractor shall make arrangements with a merchant



8 or other person in each and every town, city or village for the handling and dis-  
 9 tribution of the books. The contractor or his agent shall retail the books at con-  
 10 tract price, which price shall be printed in plain letters or figures on the back  
 11 of each book.

Sec. 15. It shall be the duty of any person or persons, firm or corpora-  
 2 tion, who may hereafter furnish and supply books under the provisions of this  
 3 Statute, to print in large letters, upon the outside of the first cover of each book  
 4 so furnished and supplied by him or them, the name of the adopted book and  
 5 upon the outside of the back cover the price at which such book is furnished to  
 6 be sold to pupils, under such contract, and it shall be the duty of all boards of  
 7 education and boards of school directors, or their agents, and school teachers,  
 8 to see that all books so furnished to pupils and bought by pupils for use in the  
 9 schools of the State shall bear such imprint: *Provided*, this section shall not ap-  
 10 ply to copy books.

Sec. 16. The books which have been, or may hereafter be, adopted by the  
 2 State of Illinois, for use in its common schools, by virtue of this Act, shall be uni-  
 3 formly used in all the common schools of the State, in teaching the branches of  
 4 learning treated of in such books, and it shall be the duty of the county superin-  
 5 tendents, boards of education and boards of directors, to use in such schools  
 6 such books for teaching the subjects treated in them: *Provided*, this Act shall  
 7 not apply to school districts lying wholly within counties of over 100,000 popula-  
 8 tion.

Sec. 17. It shall not be lawful for any school officer or teacher to use or  
 2 cause to be used, as text books in any free school, any other books upon the  
 3 same branches than those adopted by said State Text Book Commission. Any

4 school officer or teacher who shall use or cause to be used any school text book  
 5 upon the branches embraced in this Act, where the Commission has adopted a  
 6 book upon that branch, other than the one so adopted shall be guilty of a mis-  
 7 demeanor and upon conviction shall be fined not less than ten dollars (\$10) nor  
 8 more than one hundred dollars (\$100).

Sec. 18. Whenever the revision of any book, or series of books, shall  
 2 be determined upon by the State Board of School Text Book Commissioners,  
 3 and they shall have contracted with an author, or authors, to furnish the manu-  
 4 script for such revision, sufficient time shall be given to the author in which  
 5 to perform the work of revising the subject matter of such book to the accept-  
 6 ance and satisfaction of such Board, and when the revision of the subject matter  
 7 is completed by the author and the manuscript thereof furnished to the con-  
 8 tractor, at least six months' time shall be given the contractor in which to make  
 9 the necessary illustrations, engravings, maps and plates, manufacture and ship  
 10 the books to the various school districts of the State before any such contractor  
 11 shall be required to furnish any such book or series of books so revised for  
 12 use in the schools of the State under his contract. And no new book, or revised  
 13 book, or series of books, shall be introduced for use in the schools of the State  
 14 at any time by virtue of the provisions of this Act, until the State Board of  
 15 School Text Book Commissioners shall have given notice to the county superin-  
 16 tendents, boards of education, and boards of school directors of the State, by  
 17 printed notice mailed to each of said school officers, last above named, at  
 18 least twelve months in advance of the time when such book or series of books,  
 19 are to be used in the public schools. At the expiration of any contract now in ex-  
 20 istence, or which may hereafter be made by the State Board of School Text Book  
 21 Commissioners for furnishing books for use in the common schools of this

22 State under such contract or contracts shall be continued in use therein at the  
23 same price and upon the same terms and conditions until such time or times  
24 as the State Board of School Text Book Commissioners shall determine that  
25 a revision thereof is necessary for the best interests of the schools, when such  
26 revision shall be made, or a new book contracted for and introduced for use  
27 in the schools as hereinbefore specified: *Provided*, that at the expiration of  
28 any such contract, the State Board of School Text Book Commissioners shall  
29 require such contractor or contractors furnishing such books to execute a new  
30 bond, conditioned that they will continue to execute such contract in all regards  
31 as they had heretofore executed the original contract: *Provided, further*, that  
32 nothing herein contained shall be construed as restraining or preventing said  
33 Board of School Text Book Commissioners after any such school book or any  
34 such revised book shall have been in use in the schools of the State for a per-  
35 iod of five years, from proposing to the contractor furnishing the same, such  
36 reduction in the price at which such book or revised book shall be continued in  
37 use in the schools for the next ensuing five years, as in the judgment of said Board,  
38 may seem reasonable. If such contractor shall accede to such proposed reduction,  
39 then the price of such book, or revised book, shall, for the ensuing period of  
40 five years, be fixed at the original contract price thereof, less the amount of the  
41 reduction so agreed upon, and such price shall be printed on the back of said  
42 book, as now required by law. In event said Board may appoint a disinterested  
43 person conversant with such matters and require the said contractor to select  
44 another such person, and the two so chosen shall select a third, and thereupon  
45 the three shall inquire into and consider what, if any, reduction ought to be  
46 made in the price at which such book, or revised book, should be furnished for  
47 use in the schools of the State for the next ensuing period of five years, and if  
48 they shall determine that any such reduction ought to be made, they shall fix

49 the amount of such reduction, and shall certify to the said Board and to such  
 50 contractor their determination in that behalf, and thereupon if said contractor  
 51 shall accede to the price thus arrived at, the price of said book for the ensuing five  
 52 years shall be fixed at that sum, and the same shall be printed on the backs of  
 53 such books, as now provided by law, and the said contractor shall be required  
 54 to furnish the same at such price. But otherwise, in all regards, under the pro-  
 55 visions of this Act and acts to which it is supplemental. But if such contrac-  
 56 tor shall decline to accede to such price thus arrived at, then such board shall  
 57 have the right in their discretion, to proceed to advertise for bids to furnish a  
 58 book in the place thereof; and, in so doing, and in all subsequent steps therein,  
 59 they shall proceed in accordance with the provisions of this Act.

*And, Provided further, that nothing in this Act contained shall be construed*

61 to prevent the State Board of School Text Book Commissioners from exercis-  
 62 ing their discretion in deciding whether they shall order any of the books already  
 63 in use under contract to be revised, or whether, instead, they shall advertise for  
 64 books to be adopted instead of said books already in use.

Sec. 19. In no case shall a revision of any book or books, except his-  
 2 tories and geographies, under the provisions of this Act, be required by the  
 3 State Board of School Text Book Commissioners oftener than every five years.

Sec. 20. All acts or parts of acts in conflict herewith are hereby repealed.







AMENDMENTS TO

45th Assem.

HOUSE—No. 19

Apr. 1907

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Amendments to House Bill No. 19, adopted by the House April 30, 1907.

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AMENDMENT NO. 1.

Amend printed bill, section 6, line 3, by striking the figures "1906" and inserting the figures "1908," and in line 5 by striking out the figures "1907" and inserting the figures "1910."

AMENDMENT NO. 2.

Amend Section 1 of House Bill No. 19 by striking out everything after the word "instruction," in line 5, Section 1 of the printed bill and inserting therein the following: "and the Presidents of four State Normal Schools to be appointed by the Governor."

AMENDMENT NO. 3.

Amend House Bill No. 19 by striking out all of Section 3 of the printed bill from and including line 1 down to and including the words "State University," in line 5, and inserting the word "the" before the word "member."



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- 1 Introduced by Mr. Pogue, January 15, 1907.
  - 2 Read first time, ordered printed and referred to Committee on Judicial Department and Practice, when appointed.
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## A BILL

For an Act to regulate the setting aside of judgments or granting of new trials on appeal to the Supreme and Appellate Courts in this State.

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SECTION 1. *Be it enacted by the people of the State of Illinois,*  
2 *represented in the General Assembly:* That no judgment shall be set aside or  
3 new trial granted in any cause, civil or criminal, on the ground of misdirection  
4 of the jury or the improper admission or rejection of evidence, or for error as to  
5 any matter of pleading or procedure unless, in the opinion of the court, to which  
6 the application is made, after an examination of the entire cause, it shall affirma-  
7 tively appear that the error complained of has resulted in a miscarriage of jus-  
8 tice.

Sec. 2. Whenever the Appellate or Supreme Court shall reverse a cause in  
2 any civil suit, if the amount sued for is liquidated damages, or an amount capa

able of being ascertained from the record of the case, the court shall not remand  
 4 the cause for a new trial, but shall enter judgment for the amount so found due  
 5 and for costs; or the court may remand the cause to the lower court with direc-  
 tions to ascertain the amount due and enter judgment accordingly, and for cost.

A BILL

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- 1 Introduced by Mr. Smith, January 15, 1907.
  - 2 Read first time, ordered printed and referred to Committee on Manufactures, when  
appointed.

## A BILL

For an act to protect the public health by prohibiting the collection of second-hand bottles or jars, or the sale of goods in second-hand bottles or jars, and providing the punishment for the violation of the same,

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SECTION 1. *Be it enacted by the people of the State of Illinois,*  
2 *represented in the General Assembly:* That whoever gathers empty bottles or  
3 jars, except the same be broken immediately to cullet, or whoever bottles, sells, or  
4 offers for sale any goods or merchandise put up in bottles or jars that have been  
5 used as a package or cover for the same, or any kind of goods, shall be deemed  
6 guilty of a misdemeanor and shall, upon conviction thereof, be fined not less than  
7 five dollars (\$5.00) and not more than one hundred dollars (\$100.00) for the first  
8 offense, and for each subsequent offense shall, upon conviction thereof, be pun-  
9 ished by a fine of not to exceed two hundred dollars (\$200.00) and by imprison-



ment in the county jail not to exceed six months: *Provided, however,* that the provisions of this Act shall not apply to any person, firm or corporation that refills bottles or jars originally made for its own use, if the bottles or jars are first thoroughly cleansed and sterilized and then refilled with the same kind of goods as were originally contained therein.

Sec. 2. It shall be the duty of the State Food Commissioner of the State of Illinois by and with the aid of his assistants and inspectors to enforce the provisions of this Act. And it is hereby made the duty of the State's Attorney of each county in this State to prosecute all violations of this Act upon complaint of said State Food Commissioner, his assistants or inspectors, or any other person.

- 1 Introduced by Mr. Ton, January 15, 1907.
- 2 Read first time, ordered printed and referred to Committee on Judiciary, when  
appointed.

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## A BILL

For an act to amend Section 142 of an act entitled “An Act to revise the law in relation to Criminal Jurisprudence,” approved March 27, 1874, and in force July 1, 1874.

SECTION 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly:* That Section 142 of an act entitled “An Act to revise the law in relation to the criminal jurisprudence,” approved March 27, 1874, and in force July 1, 1874, be and the same is hereby amended so as to read as follows:

SECTION 142. Whoever is guilty of murder, shall suffer the punishment of death, or imprisonment in the penitentiary for his natural life, or for a term not less than fourteen years *except in cases where a person is convicted of murder*

4 wholly or mainly upon circumstantial evidence, the penalty shall be imprisonment  
5 for life, or for a term not less than fourteen years, and it shall be the duty of the  
6 judge presiding at the trial to determine whether the conviction was so obtained,  
7 and his determination shall be final. If the accused is found guilty by a jury  
8 they shall fix the punishment by their verdict; upon a plea of guilty, the punish-  
9 ment shall be fixed by the court.

1 Introduced by Mr. Gehant, January 16, 1907.

2 Read first time, ordered printed and lie Speaker's Table.

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## A BILL

For an act to amend Section one (1) of an act entitled, "An act to provide for the erection, maintenance and operation of pumpiag plants in certain drainage and levee districts and to legalize and validate former proceedings, bond issues, indebtedness and expenditures in regard to, on account of, or with a view to erection, maintenance and operation of such pumping plants." Passed, approved and in force May 13, 1905. Amending said section 1, to read as follows:

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented*  
2 *in the General Assembly:* That whenever the drainage commissioners of any drainage  
3 and levee districts heretofore or hereafter organized under an act entitled, "An act  
4 to revise and amend an act and certain sections thereof, entitled 'An act to pro-  
5 vide for the construction, reparation, and protection of drains, ditches and levees,  
6 across the lands of others, for agricultural, sanitary and mining purposes, and to  
7 provide for the organization of drainage districts,' approved and in force May 29,  
8 1899, as amended by certain acts herein entitled, to repeal certain laws therein

9 named, approved June 30, 1885, in force July 1, 1885, shall deem it necessary, for  
10 the disposition of the surface water, seepage or rainfall in such districts, that one  
11 or more pumping plants be erected, maintained and operated, they may, with the  
12 approval thereof by the county court of the county in which the district or any  
13 part of the district is located, out of the funds raised, or to be raised, by special  
14 assessments on the lands of such district, and as a part of the drainage and levee  
15 work of the district, erect, maintain and operate one or more such pumping plants  
16 in such district, *and for the purpose of maintaining and operating such plants,*  
17 *together with the necessary repairs of the drains, ditches and levee of the district,*  
18 *as shown by the report of the commissioners made each year to the July term of*  
19 *the court as now provided by law, the court may approve and order such amount*  
20 *thereof as may be shown to be necessary to be collected as an assessment upon the*  
21 *lands of the district for the current year, which amount shall not require a rate of*  
22 *more than 60c upon each acre of all the lands of the district for such year.*



1 Introduced by Mr. Kirkpatrick, January 16, 1907.

2 Read first time, ordered printed and to a second reading without reference to a  
committee.

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## A BILL

For an act to create two additional terms of the Circuit Court in the County of Frank-  
lin, and to fix the time of holding the same.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented*  
2 *in the General Assembly:* That there be and are hereby created two additional  
3 terms of the Circuit Court in the County of Franklin.

Sec. 2. That said additional terms of said Court shall be held on the first  
2 Monday in the month of February and on the second Monday in the month of  
3 September of each year.

Sec. 3. That all suits, writs and processes of every kind and nature, either  
2 civil or criminal, heretofore commenced, or pending in the said Circuit Court, or  
3 that may be pending therein at the time this Act takes effect, shall be cognizable  
4 and triable at the first term after this Act takes effect.

Section 4. *Provided*, that no Grand Jury, or Traverse Jury, shall be summoned at either the February or September terms hereby created, unless so ordered by the Court.

Section 5. WHEREAS, an emergency exists, therefore this Act shall take effect and be in force from and after its passage.

1 Introduced by Mr. Lewis, January 16, 1907.

2 Read first time, ordered printed and referred to Committee on Fish and Game.

## A BILL

For an Act entitled "An Act to amend Section 1 of an Act entitled, 'An Act for the protection of game, wild fowl and birds, and to repeal certain acts relating thereto,'" approved April 28, 1903, in force July 1, 1903, as amended by an act approved May 18, 1905, in force July 1, 1905.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*  
2 *in the General Assembly:* That section one of an act entitled, "An Act for the pro-  
3 tection of game, wild fowl and birds, and to repeal certain acts relating thereto,"  
4 approved April 28, 1903, in force July 1, 1903, as amended by an Act approved  
5 May 18, 1905, in force July 1, 1905, be and the same is hereby amended so as to  
6 read as follows:

"Sec. 1. It is hereby declared to be unlawful to hunt, kill, net, entrap, ensnare,  
2 or destroy, or attempt to hunt, kill, net, entrap, ensnare or destroy or have in  
3 possession any quail, between the twentieth day of December, and the tenth day  
4 of November of each succeeding year; or, any ruffed grouse (partridge) or pinnated

5 grouse (prairie chicken) between the first day of October and the thirty-first day of  
 6 August of each succeeding year; or any woodcock, or mourning dove between the  
 7 first day of December and the first day of August of each succeeding year, or any  
 8 gray, red, fox or black squirrel between the thirty-first day of December and the  
 9 first day of July of each succeeding year; or any jack snipe, Wilson's snipe, sand  
 10 snipe, any kind of snipe or any golden plover, upland plover or any kind of plover  
 11 between the first day of May and the first day of September of any year. And it  
 12 shall be unlawful to kill, hunt, ensnare, entrap or attempt to kill, hunt, ensnare,  
 13 entrap or otherwise destroy any wild goose, duck, brant or other water fowl at any  
 14 time between the fifteenth day of April and the first day of September of any year.  
 15 And it shall be unlawful to hunt, kill, entrap, ensnare or attempt to hunt, kill, en-  
 16 trap, ensnare or otherwise destroy any wild goose, duck, brant, rail or other fowl  
 17 between the sunset of any day and the sunrise of next succeeding day at any period  
 18 of the year. And it shall be further unlawful at any time to hunt, kill, entrap, en-  
 19 snare, or attempt to hunt, kill, entrap or ensnare or otherwise destroy any wild  
 20 goose, brant, duck or any other water fowl from any fixed or artificial ambush beyond  
 21 the line of natural covering of reeds, canes, willows, flags, crooked brush, wild rice  
 22 or other vegetation above the water of any lake, river, bay or inlet, or other water  
 23 course wholly within the State, or with the aid or use of any device commonly  
 24 called sneak boat, sink box or other device for the purpose of concealment in the  
 25 open waters of this State. And it shall further be unlawful to shoot, kill or destroy  
 26 or shoot at any wild goose, duck, brant or other water fowl with a swivel gun, or  
 27 from any sail boat, gasoline or electric launch or steam boat, at any time in any  
 28 part of the water of any lake, river, bay or inlet or other water course wholly  
 29 within this State: *Provided*, that it shall be unlawful to kill, entrap, ensnare or  
 30 otherwise destroy any of the ducks, geese or brant mentioned in this section at any  
 31 time for market or other commercial purposes, nor more than thirty-five by one  
 32 person in one day. Any person or persons so offending shall for each and every

33 offense be deemed guilty of a misdemeanor and on conviction shall be fined in any  
34 sum not less than fifteen dollars (\$15.00) nor more than fifty dollars (\$50.00) and  
35 costs of suit, and shall stand committed to the county jail until such fines and  
36 costs are paid: *Provided*, that such imprisonment shall not exceed ten days, and  
37 the killing of each bird or animal herein specified shall be deemed a separate offense "





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- 1 Introduced by Mr. Liggett, January 16, 1907.
  - 2 Read first time, ordered printed and referred to Committee on Judiciary Department and Practice.

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## A BILL

For an Act to amend an act to review the law in relation to change of venue, approved March 25, 1874, in force July 1, 1874.

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*Be it enacted by the People of the State of Illinois, represented in the General*  
2 *Assembly:* By adding Section eighteen and one-half (18½) to read as follows:

SECTION 18½. In all criminal cases, whether felony or misdemeanor, the People  
4 shall have the right to have a change of venue on motion of the State's Attorney,  
5 supported by the affidavit of the prosecuting witness and at least two other credit-  
6 able witnesses, alleging that the presiding judge is so prejudiced against the case that  
7 they fear that they cannot have a fair and impartial trial before him, it shall be his  
8 duty to immediately call upon some other judge to try that case.



1. Introduced by Mr. Liggitt, 1907.
2. Read first time, ordered printed and referred to Committee on Judiciary Department and Practice.

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## A BILL

For an act to amend Section Seventeen (17) of Division Thirteen (13) of Chapter Thirty-eight (38) of "An Act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That Section Seventeen (17) of Division Thirteen (13) of Chapter Thirty-eight (38) of an Act entitled "An Act to revise the law in relation to Criminal Jurisprudence," approved March 27, 1874, in force July 1, 1874, be and the same is hereby amended to read as follows:

Section 17. Exceptions may be taken in criminal cases, and bills of exceptions shall be signed and sealed by the judge, and entered of record, and error may be assigned thereon by the defendant, the same as in civil cases: *Provided*, that in no criminal case shall the People be allowed an appeal, writ, or new trial, except that they shall be allowed the same writs of error or appeal as to all questions of law; and

6 it shall be no objection to such writs or appeals, from the judgment and rulings of the  
7 trial court, in quashing indictments, or overruling any motion for a continuance by the  
8 People, or granting a continuance to any defendant that the defendant may have  
9 been tried and convicted or acquitted, but that the Appellate or Supreme Court shall  
10 pass upon all questions of law, presented by any state's attorney of the county  
11 wherein such rulings and motions have been made.



- 1 Introduced by Mr. Lindley, January 16, 1907.  
2 Read first time, ordered printed and referred to Committee on Appeals.

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## A BILL

For an act for the relief of Albert W. Leidel.

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WHEREAS, Albert W. Leidel, while on duty as a keeper at the Southern Illinois  
2 Penitentiary in charge of a gang of prisoners and employed by the State of Illinois,  
3 received severe personal injuries as the result of a caving in of some dirt in a rock  
4 quarry, on the 20th day of February, A. D., 1905, the injuries being permanent  
5 and totally disabling and received while in the line of duty as an employe of the  
6 State. Therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in*  
2 *the General Assembly:* That the Auditor of Public Accounts be, and he is hereby  
3 directed to draw his warrant on the State Treasury, in favor of the said Albert  
4 W. Leidel for the sum of twenty thousand dollars (\$20,000) on the first day of  
5 July, A D., 1907, the said sum to be paid out of any moneys in the State  
6 treasury not otherwise appropriated.



AMENDMENTS TO

5th Assem.

HOUSE—No. 28

Feb. 1907

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Amendments to House Bill No. 28 adopted by the House February 20, 1907.

Amend by striking out in line four (4), section one (1), House Bill No. 28, the words and figures “twenty thousand dollars (\$20,000)” and inserting in lieu thereof the words and figures “three thousand dollars (\$3,000).”



- 1 Introduced by Mr. Lindley, January 16, 1907.
- 2 Read first time, ordered printed and referred to Committee on Judiciary.

## A BILL

For an act to extend the jurisdiction of probate courts and county courts having probate jurisdiction so as to include the complete administration of testate estates.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That original jurisdiction is hereby conferred upon probate courts and county courts in counties where no probate courts are now, or may hereafter be established according to law to supervise and control all testamentary trusts created by original wills of deceased persons proved and admitted to probate in such court. The jurisdiction hereby conferred shall include the appointments and removals of trustees, the issuing of letters of trusteeship to such trustees, the fixing and approving of their bonds and the settlements of their accounts; and in regard thereto said court shall have and exercise full chancery powers.

Section 2. The practice in such matters of testamentary trusts in probate or county courts as herein provided shall be as nearly as may be analagous to that now existing in the probate and settlement of testate estates. The court shall



4 have power in a summary manner to require the filing of accounts of testamentary  
 5 trustees and to enforce all orders in relation thereto by citation or attachment in  
 6 the same manner as is now provided by law in case of executors and administrators.

Section 3. The supervision and control of testamentary trusts vested by this  
 2 Act in probate courts and county courts in counties where no probate courts are  
 3 now, or may hereafter be established according to law, shall extend to and include  
 4 the power in such courts to order the sale of the real estate to which any testator  
 5 had claim or title, or such part thereof as may be necessary, for the payment of  
 6 legacies or other charges made thereon by the testator, and in cases where the  
 7 court shall find it necessary or expedient for the complete execution of the will of  
 8 the testator and the equitable distribution of his estate in accordance therewith,  
 9 that such real estate or a part thereof be sold. In the exercise of this power such  
 10 courts shall proceed, as near as may be, in conformity with the procedure estab-  
 11 lished by law for the sale of real estate to pay debts in courts having probate  
 12 jurisdiction.

Section 4. All such sales of real estate shall be made, and conveyances executed  
 2 for the same by the executor, administrator with the will annexed, or testamentary  
 3 trustee applying for such order, and shall be valid and effectual against the heirs  
 4 and devisees of such testator, and all other persons claiming by, through or under  
 5 him or them. In case of the death of the executor, administrator with the will  
 6 annexed or testamentary trustee applying for an order of sale before conveyance is  
 7 made, his successor shall proceed in the premises and make conveyance in the same  
 8 manner as if he had originally applied for such order, which conveyance shall be  
 9 good and valid.

Section 5. The clerks of probate and county courts having probate jurisdiction  
 2 shall be entitled to like fees as are now or hereafter may be authorized by law for

3 like service in the matter of the estate of deceased persons, but no docket fee shall  
4 be charged against any estate so held in trust where the original estate when pro-  
5 bated was charged, and paid a docket fee as provided by law.



1 Introduced by Mr. Lindley, January 16, 1907.

2 Read first time, ordered printed and referred to Committee on Judiciary Department and Practice.

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## A BILL

For an act to authorize County Judges to perform the duties of judges of other courts.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented*  
2 *in the General Assembly:* That Judges of the County Courts may interchange  
3 with each other, and with Judges of the Circuit, Superior, Probate and City  
4 Courts, and may hold court for each other, and for Judges of Circuit, Superior,  
5 Probate and City Courts, and perform each other's duties, and the duties of Judges  
6 of Circuit, Superior, Probate and City Courts, when they find it necessary or con-  
7 venient.





1 Introduced by Mr. McKinlay, January 16, 1907.

2 Read first time, ordered printed and referred to Committee on Fees and Salaries.

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## A BILL

For an Act to amend Section one (1) of "An Act to provide for and fix the compensation of members of the General Assembly of the State of Illinois," which became a law June 26, 1895, in force July 1, 1895.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*  
2 *General Assembly:* That Section one (1) of "An Act to provide for and fix the com-  
3 pensation of members of the General Assembly of the State of Illinois," which  
4 became a law June 26, 1895, in force July 1, 1895, be and the same is hereby  
5 amended to read as follows:

"SECTION 1. That the members of the General Assembly hereafter elected shall  
7 receive for their service the sum of *two thousand (2,000.00)* dollars for each regular  
8 session three hundred dollars (\$300.00) of which sum shall not be paid until the *sine*  
9 *die* adjournment of each regular session, and five dollars (\$5.00) per day for any special  
or called session, and ten (\$0.10) cents for each mile necessarily traveled in going to  
and returning from the seat of government at each session, to be computed by the

12 Auditor of Public Accounts, and no other allowance or emoluments, directly or in-  
13 directly for any purpose whatsoever, except the sum of fifty dollars (\$50.00) per  
14 session to each member, which shall be in full for stationery, newspapers, postage  
15 and all other incidental expenses and perquisites.”

1 Introduced by Mr. McKinlay, January 16, 1907.

2 Read first time, ordered printed and referred to Speaker's Table.

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## A BILL

For an act to prohibit any person, association, copartnership, or corporation from offering, granting, or promising any public official free transportation of person or property, or free transmissison or communication of messages and to prohibit any public official from accepting or asking for the same, and to provide penalties for violations hereof.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That no person, association, copartnership or corporation shall promise, offer or give for any purpose to any political committee or member or employee thereof, to any candidate or incumbent of any office or position under the Constitution or Laws of this State, or under any ordinance of any town or municipality of this State, or any person at the request or for the advantage of all or any of them, any free pass or frank, or any privilege withheld from any person, for the traveling accommodation or transportation of any person or property or the transmission of any message or communication. No political commit-

tee and no member or employee thereof, no candidate and no incumbent of any office or position under the Constitution or laws of this State, or under the ordinance of any town or municipality of this State, shall ask for or accept from any person, association, copartnership or corporation, or use, in any manner, or for any purpose, any free pass or frank or any privilege withheld from any person for the traveling accommodation or transportation of any person or property, or the transmission of any message or communication. Any person who violates any of the above provisions shall be guilty of a misdemeanor, the punishment for which shall be not less than six months or more than one year in the county jail, and if any official or any member of the legislature be guilty thereof, his office shall become vacant. No person within the provisions of this Act shall be privileged from testifying in relation to anything therein prohibited; and no person having so testified shall be liable to any prosecution or punishment for any offense concerning which he was required to give his testimony or produce any documentary evidence.

1 Introduced by Mr. McKinlay, January 16, 1907.

2 Read first time, ordered printed and referred to Committee on Railroads.

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## A BILL

For an Act establishing a maximum rate of charges for the transportation of passengers on the railroads doing business in the State of Illinois and a penalty for the violation thereof.

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SECTION 1—MAXIMUM RATE. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That no railroad corporation doing business  
3 in the State of Illinois shall charge, collect, demand or receive for the transportation  
4 of passengers on its road, within the limits of the State of Illinois, more than two  
5 cents per mile.

SECTION 2—PENALTY. Any railroad corporation violating the provisions of  
2 section one (1) of this Act shall be guilty of the crime of extortion and shall, upon  
3 the conviction thereof, be fined not less than one thousand dollars (\$1,000.00) and  
4 not more than five thousand dollars (\$5,000.00) for every offense.

Section 3—REPEAL. All acts and parts of acts in conflict with the provisions  
2 of this Act are hereby repealed.





- 1 Introduced by Mr. Pogue, January 16, 1907.  
2 Read first time, ordered printed and referred to Committee on Railroads.

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## A BILL

For an act to aid in the prevention of disease.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented*  
2 *in the General Assembly:* That hereafter it shall be unlawful for any owner or  
3 owners, or the agent or employee of any owner or owners, of any passenger coach  
4 or coaches, operating now or in the future, over or on any railroad or railroads in  
5 this State, to sweep or dust the same while en route and occupied by passengers.  
6 This Act shall apply to and include all corporations and other persons engaged  
7 in the transportation of passengers in this State.

Sec. 2. Any violation of this Act shall be deemed a misdemeanor and sub-  
2 ject the offender to a fine of not less than twenty (20) dollars nor more than one  
3 hundred (100) dollars for each and every offense.

Sec. 3. The courts of any county in this State through which the road or  
2 roads extend shall have jurisdiction.



- 1 Introduced by Mr. ApMadoc, January 16, 1907.  
2 Read first time, ordered printed and referred to Committee on Judiciary.

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## A BILL

For An Act to amend the title of an Act relating to the Punishment of Crimes Against Children, approved May 11, 1905.

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- SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*  
2 *General Assembly:* That the title of an Act entitled "An Act for the Punishment of  
3 Crimes Against Children," be and the same is hereby amended to read as follows:  
4 "An Act to Define and Punish Crimes Against Children."





Introduced by Mr. ApMadoe, January 22, 1907.

Read first time, ordered printed and referred to Committee on Judiciary.

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## A BILL

For an act to define and punish crimes against children.

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SECTION 1. *Be it enacted by the people of the State of Illinois,*  
2 *represented in the General Assembly:* That any person who shall take or attempt  
3 to take any immoral, immodest or indecent liberties with any child of either sex  
4 under the age of sixteen years, or who shall wilfully commit, or attempt to com-  
5 mit, any lewd or lascivious act upon or with the body, or any part or member  
6 thereof, of such child, with the intent of arousing, appealing to or gratifying  
7 the lust or passions of sexual desires, either of such person or such child, or any  
8 person who shall take, entice, allure or persuade any such child to any place  
9 whatever for the purpose either of taking any such immoral, immodest or inde-  
10 cent liberties with such child, or of committing any such lewd, or lascivious act  
11 shall be imprisoned in the penitentiary not less than one year nor more than  
12 twenty years, or in the county jail not less than six months, nor more than one

13 year: *Provided*, that this Act shall not apply to offenses constituting the crime  
14 of sodomy or other infamous crimes against nature, incest, rape or seduction.

Sec. 2. WHEREAS, An emergency exists, therefore this Act shall take effect  
2 and be in force from and after its passage and its approval by the Governor.

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1 Introduced by Mr. Brady, January, 22, 1907.

2 Read first time, ordered printed and referred to Committee on License.

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## A BILL

For an act permitting all ex-Union, Spanish-American War, Philippine Insurrection and Boxer Uprising in China, soldiers and sailors, honorably discharged from the military or marine service of the United States, the right to vend, hawk and peddle goods, wares, fruits or merchandise not prohibited by law in any county, town, village, incorporated city or municipality in the State of Illinois.

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SECTION 1. *Be it enacted by the people of the State of Illinois,*  
2 *represented in the General Assembly:* That on and after the passage of this Act  
3 all ex-Union, *Spanish-American War, Phillipine Insurrection and Boxer Uprising*  
4 *in China* soldiers and sailors, honorably discharged from the military or marine  
5 service of the United States shall be permitted to vend, hawk and peddle goods,  
6 wares, fruits or merchandise not prohibited by law, in any county, town, village,  
7 incorporated city or municipality within this State without a license: *Provided,*  
8 said soldier or sailor is engaged in the vending, hawking, and peddling of said  
9 goods, wares, fruits or merchandise for himself only.

Sec. 2. Upon the presentation of his certificate of discharge to the clerk of  
 2 any county, town, village, incorporated city or municipality in this State, and  
 3 showing proofs of his identity as the person named in his certificate of honor-  
 4 able discharge, the clerk shall issue to such soldier or sailor a license, but such  
 5 license shall be free, and said clerk shall not collect or demand for the county  
 6 town, village, incorporated city or municipality any fee therefor. Any clerk of  
 7 any county, town, village, incorporated city or municipality in this State who shall  
 8 violate any of the foregoing provisions of this Act, by failing or refusing to com-  
 9 ply with such provisions, as herein **directed**, shall be fined in a sum not less than  
 10 ten dollars (\$10) nor more than **fifty dollars (\$50)** to which may be added im-  
 11 prisonment in the county jail not exceeding ten (10) days.

Section 3. *An act entitled "An Act permitting all ex-Union soldiers and sail-  
 2 ors, honorably discharged from the military or marine service of the United  
 3 States, the right to vend, hawk and peddle goods, wares, fruits or merchandis-  
 4 not prohibited by law in any county, town, village, incorporated city or munic-  
 5 pality in the State of Illinois," approved May 11, 1901, in force July 1, 1901, is  
 6 hereby repealed.*

- 1 Introduced by Mr. Califf, January 22, 1907.  
2 Read first time, ordered printed and referred to Committee on Education.

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## A BILL

For an act to provide free high school privileges for graduates of the eighth grade in certain districts.

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SECTION 1. *Be it enacted by the people of the State of Illinois,*  
2 *represented in the General Assembly:* That the graduates of the eighth grade in  
3 any school district in this State, in which no high school is maintained, shall,  
4 upon the payment of tuition, be admitted to the high school of any district in the  
5 county in which such pupils reside, or in any adjoining county. The tuition in  
6 all cases shall be paid by the school board of the district in which such pupils re-  
7 side, from the funds of the district. The parent or guardian shall be authorized  
8 to select the high school to be attended by such pupils. *Provided, however,* that  
9 the high school selected shall offer a program of studies extending through four  
10 school years, and, *Provided, further,* that this Act shall not apply in such dis-  
11 tricts as offer ninth and tenth years' work, except to such pupils as have com-  
12 pleted these two years' work.





1 Introduced by Mr. Chipperfield, January 22, 1907.

2 By unanimous consent read first time and ordered to a second reading without ref-  
erence.

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## A BILL

An act to amend section 3 of "An Act to establish and maintain a Soldiers' and Sailors' Home in the State of Illinois, and making an appropriation for the purchase of land and the construction of the necessary buildings," approved June 26, 1885, in force July 1, 1885, as amended by an act approved April 22, 1899, in force July 1, 1899.

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SECTION 1. *Be it enacted by the people of the State of Illinois,*  
2 *represented in the General Assembly:* That section 3 of an act entitled "An  
3 Act to establish and maintain a Soldiers' and Sailors' Home in the State of  
4 Illinois, and making an appropriation for the purchase of land and the construc-  
5 tion of the necessary buildings," approved June 26, 1885, in force July 1,  
6 1885, as amended by act approved April 22, 1899, in force July 1, 1899, be and  
7 the same is hereby amended to read as follows:

Sec. 3. All honorably discharged soldiers and sailors who served in the  
 2 army or navy of the United States in the War of the Rebellion, the Mexican  
 3 War, the Spanish-American War, *the Philippine Insurrection or the Boxer Up-*  
 4 *rising in China*, and have been residents of this State for two years immediately  
 5 preceding the date of application for admission to the home, unless the service  
 6 of applicants is accredited to the State of Illinois, and who are disabled by dis-  
 7 ease, wound or otherwise and have no adequate means of support, and by rea-  
 8 son of such disability are incapable of earning their living, shall be entitled to  
 9 be admitted to said home, subject to the rules and regulations adopted by the  
 10 trustees to govern the admission of applicants. Whenever it shall be deemed  
 11 necessary by the superintendent of the home for preserving order, enforcing dis-  
 12 cipline or preserving the health of the inmates, any pensioner residing in said  
 13 home and accepting its benefits shall deposit with the superintendent of the  
 14 home his pension money upon receipt of his pension check. In cases where any  
 15 such pensioner has a wife, child or parents dependent upon him, such pension  
 16 money shall be sent to such dependent person, and in other cases the same shall  
 17 be kept on deposit for such pensioner, subject to the direction of the trustees,  
 18 and all unexpended money shall be paid to the depositor on his final discharge  
 19 from the home, or to his heirs or legal representatives upon his decease. The  
 20 provisions herein concerning admission to the home shall apply at all times to  
 21 inmates to be entitled to remain in said home.

Sec. 4. *All acts or parts of acts in conflict herewith are hereby repealed.*

1 Introduced by Mr. Chipperfield, January 22, 1907.

2 Ordered printed and referred to Committee on Municipal Corporations.

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## A BILL

For an act to amend section one (1) of an act entitled “An Act to provide for annexing and excluding territory to and from cities, towns and villages,” approved April 10, 1872, and in force July 1, 1872, as amended by an act approved May 10, 1901, in force July 1, 1901.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That section one (1) of an act entitled  
3 “An Act to provide for annexing and excluding territory to and from cities,  
4 towns and villages,” approved April 10, 1872, in force July 1, 1872; as amended  
5 by an act approved May 10, 1901, in force July 1, 1901, be and the same hereby  
6 is amended to read as follows:

SECTION 1. That on petition in writing signed by *one-tenth (1-10)* of the legal voters in any territory contiguous to any *incorporated* city, village or town  
2 and not embraced within its limits, the city council or board of trustees of said  
3

4 city, village or town (as the case may be) shall submit to a vote of the people of  
5 said city, village or town (as the case may be) at its next regular election or at a  
6 special election to be called within sixty (60) days after said petition is presented,  
7 the question of the annexation of such proposed territory: *Provided, however,*  
8 That where the said petition shall be presented within ninety (90) days prior to a  
9 regular election no special election shall be called. In case the question of such an-  
10 nexation shall receive a majority of all the votes cast at said election in favor  
11 thereof, the city council or board of trustees of said city, village or town (as the  
12 case may be) shall within ninety (90) days thereof, by ordinance, annex such ter-  
13 ritory to such city, village or town, upon filing a copy of such ordinance, with an  
14 accurate map of the territory annexed (duly certified by the *city clerk* of the  
15 city, or president of the board of trustees of the village or town), in the office of  
16 the recorder of deeds in the county where the annexed territory is situated, and  
17 having the same recorded therein: *Provided, That nothing in the section con-*  
18 *tained shall authorize said ordinance unless the territory sought to be annexed*  
19 *shall contain an actual residence population of one hundred (100) inhabitants to*  
20 *every eighty acres or fractional part thereof sought to be annexed: Provided, fur-*  
21 *ther, That no portion less than the whole of any incorporated city, town or vil-*  
22 *lage shall be annexed to another city, town or village, except in the mode pro-*  
23 *vided in this Act for the annexation of the whole of an incorporated city, town or*  
24 *village to another city, town or village: Provided, Nothing in this Act*  
25 *shall apply to any city having a population in excess of two hundred and fifty*  
26 *thousand (250,000) people.*



1 Introduced by Mr. Chipperfield, January 22, 1907.

2 Read first time, ordered printed and referred to Committee on Judiciary.

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## A BILL

For an act entitled "An Act defining and declaring the rights of the public in navigable lakes and streams, meandered in survey by and under the authority of the United States of America."

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That the title of and to the bed of every  
3 lake, stream, slough, bayou and other water course within the State of Illinois  
4 and meandered in survey by and under the authority of the United States of  
5 America shall within such meander lines be, and the same is hereby declared  
6 to be vested in the State of Illinois in trust for the use of the people of the State  
7 of Illinois.

Sec. 2. It is hereby declared and affirmed that the title to all fish and game  
2 in a wild and natural state in and upon any stream, slough, bayou or other water  
3 course within the State of Illinois and within the meandered line of boundary

4 surveyed and established by the United States of America to be in the State of  
5 Illinois.

Sec. 3. It shall be lawful for any person or persons to take and catch fish  
2 and kill game in and upon and along any of the lakes, streams, sloughs, bayous  
3 or other water courses in the State of Illinois meandered in survey by and under  
4 the authority of the United States of America at and within the said meandered  
5 lines, subject to the general fish and game laws of the State of Illinois.

Sec. 4. All acts and parts of acts in conflict with the provisions of this Act  
2 are hereby repealed.

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adopted by the House March 27th, 1907.

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AMENDMENT NO. 1.

Amend the title of House Bill No. 41 by adding after the last line thereof the printed bill the words: "And in lands, lakes and streams owned by the State of Illinois, or any County thereof."

AMENDMENT NO. 2.

Amend House Bill No. 41 by adding after the words "Illinois" in the seventh of Section 1, the words and figures as follows: "That all navigable streams and waters, lakes and bayous, used for navigation and commerce, and all meandered lakes and streams and bodies of water of all kinds, permanently covered by water, or adjacent to such lakes, streams, and meandered waters, subject to the submerger and at any time belonging to the State of Illinois or any County thereof, and not specifically conveyed granted, or acquired by due process of law, from the State or County as the case may be shall be deemed the property of the State in trust however, for the public and shall be known as "submerged lands" and subject to the provisions of this act.

## AMENDMENT NO. 3.

Amend House Bill No. 41 as follows: by inserting after the word "Illinois" in the fifth line, in Section three and before the words "section four" the following:

Sec. 4: In case any person, persons, association or corporations has heretofore attempted or shall hereafter attempt to exclude the public or appropriation, claim, occupy or take possession any such lands belonging to the State of Illinois, or a county therein mentioned therein in this Act, it shall be the duty of the Attorney General of the State of Illinois and the State's Attorney of the proper Counties to institute quo warranto or other proper proceedings against such person, persons, association or corporation within their jurisdiction holding, seizing or appropriating any such lands to their own exclusive use against the public to dispossess them from such lands.

Sec. 5. In case the Attorney General or the State's shall refuse or neglect upon written complaint filed with him supported by affidavit that any such person, persons, association or corporation is illegally holding possession or has seized or taken possession of any such submerged lands belonging to the State as aforesaid to prosecute such case for dispossession, then upon the filing of a petition by one hundred legal voters of any county with the circuit clerk of such county together with a sufficient bond for costs, asking such proceedings be commenced said petitioners or one or more of them may commence proceedings in the name of the people of the State of Illinois in the circuit court of such county, where such lands, so unlawfully appropriated or taken into possession by such person, persons, association or corporation, are located and process of summons

12 may be issued to the sheriff of any such county or counties outside of the  
13 county where such land so appropriated, claimed or taken possession of is sit-  
14 uated.

Sec. 6. The Attorney General or State's Attorney upon complaint in writ-  
2 ing by any five citizens of the proper county, supported by affidavit shall order  
3 the survey of any stream, lake or other such submerged lands and the lands ad-  
4 jacent thereto or necessary for a proper survey of such submerged lands, pro-  
5 vided that such complaint shall state that the lands are unlawfully taken or  
6 claimed and as near as possible the location and boundary of such submerged  
7 lands, the name of the person, persons, society, association or corporation ex-  
8 ercising control or claiming ownership or possession of the same, and provided  
9 that the surveyor of the county or in case of his interest of the land or inabil-  
10 ity to act then the surveyor general of the State or his assistant may make such  
11 survey.

#### AMENDMENT NO. 4.

Amend Section 4 of House Bill No. 41 by striking out the figure "4" after  
the word "Section" and inserting in lieu thereof the figure "7."





1 Introduced by Mr. Fieldstack, Jan. 22, 1907.

2 Read by title, ordered printed and referred to Committee on Judiciary.

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## A BILL

For an act amending Section 2, chapter 5, in regard to evidence and depositions in civil cases, approved March 29, 1872, and in force July 1, 1872.

An act amending Section 2, chapter 51, in regard to evidence and depositions in civil cases, approved March 29, 1872, and in force July 1, 1872.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*  
2 *General Assembly:* That Section 2, chapter 51, in regard to evidence and deposi-  
3 tions in civil cases of the act approved March 29, 1872, and in force July 1, 1872,  
4 be amended by adding thereto the following:

Section 6. No party to any civil action, suit or proceeding or person  
2 directly interested in the event thereof shall be allowed to testify therein of his own  
3 motion, or in his own behalf, as to any admission or declaration of any deceased  
4 person under whom or through whom any party thereto may have or claim title.



Introduced by Mr. Hamilton, January 22, 1907.

Read first time, ordered printed and referred to Committee on Judiciary.

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## A BILL

For an act in regard to negotiable instruments.

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### ARTICLE I.—FORM AND INTERPRETATION.

SECTION 1. *Be it enacted by the people of the State of Illinois,*

*represented in the General Assembly:* An instrument to be negotiated must con-

form to the following requirements:

1. It must be in writing and signed by the maker or drawer.

2. Must contain an unconditional promise or order to pay a sum certain in money.

3. Must be payable on demand or at a fixed or determinable future time.

4. Must be payable to the order of a specified person or to bearer; and,

9        5. Where the instrument is addressed to a drawee, he must be named or  
10            otherwise indicated therein with reasonable certainty.

Sec. 2. The sum payable is a sum certain within the meaning of this Act,  
2 although it is to be paid:

3        1. With interest; or

4        2. By stated installments; or

5        3. By stated installments, with a provision that upon default in payment of  
6            any installment, the whole shall become due; or

7        4. With exchange, whether at a fixed rate or at the current rate; or

8        5. With costs of collection or an attorney's fee, in case payment shall not be  
9            made at maturity.

Sec. 3. An unqualified order or promise to pay is unconditional within the  
2 meaning of this Act, though coupled with:

3        1. An indication of a particular fund out of which reimbursement is to be  
4            made, or a particular account to be debited with the amount; or

5        2. A statement of the transaction which gives rise to the instrument.

6        But an order or promise to pay out of a particular fund is not unconditional.

Sec. 4. An instrument is payable at a determinable future time, within the  
7 meaning of this Act, which is expressed to be payable:



1. At a fixed period after date or sight; or
2. On or before a fixed or determinable future time specified therein; or
3. On or at a fixed period after the occurrence of a specified event, which is certain to happen, though the time of happening be uncertain.

An instrument payable upon a contingency is not negotiable, and the happening of the event does not cure the defect.

Sec. 5. An instrument which contains an order or promise to do an act in addition to the payment of money is not negotiable. But the negotiable character of an instrument otherwise negotiable is not affected by a provision which:

1. Authorizes the sale of collateral securities in case the instrument be not paid at maturity; or
2. Authorizes a confession of judgment if the instrument be not paid at maturity; or
3. Waives the benefit of any law intended for the advantage or protection of the obligator; or
4. Gives the holder an election to require something to be done in lieu of payment of money.

But nothing in this section shall validate any provision or stipulation otherwise illegal.

Sec. 6. The validity and negotiable character of an instrument are not affected by the fact that:

1. It is not dated; or

2. Does not specify the value given, or that any value has been given there-  
for; or

3. Does not specify the place where it is drawn or the place where it is pay-  
able; or

4. Bears a seal; or

5. Designates a particular kind of current money in which payment is to be  
made.

But nothing in this section shall alter or repeal any statute requiring in cer-  
tain cases the nature of the consideration to be stated in the instrument.

#### Sec. 7. An instrument is payable on demand:

1. Where it is expressed to be payable on demand, or at sight, or on presen-  
tation; or

2. In which no time for payment is expressed.

Where an instrument is issued, accepted or indorsed when over due, it is, as  
regards the person so issuing, accepting or indorsing it, payable on de-  
mand.

Sec. 8. The instrument is payable to order where it is drawn payable to  
the order of a specified person or to him or his order. It may be drawn pay-  
able to the order of:

1. A payee who is not maker, drawer or drawee; or

2. The drawer or maker; or

3. The drawee; or

4. Two or more payees jointly; or

5. One or more of several payees; or

6. The holder of an office for the time being.

Where the instrument is payable to order, the payee must be named or otherwise indicated therein with reasonable certainty.

Sec. 9. The instrument is payable to bearer:

1. When it is expressed to be so payable; or

2. When it is payable to a person named therein or bearer; or

3. When it is payable to the order of a fictitious or non-existing person, and such fact was known to the person making it so payable; or

4. When the name of the payee does not purport to be the name of any person; or

5. When the only or last indorsement is an indorsement in blank.

Sec. 10. The negotiable instrument need not follow the language of this Act, but any terms are sufficient which clearly indicate an intention to conform to the requirements thereof.

Sec. 11. When the instrument or an acceptance or any indorsement thereon

2 is dated, such date is deemed *prima facie* to be the true date of the making.  
 3 drawing, acceptance or indorsement, as the case may be.

Sec. 12. The instrument is not invalid for the reason only that it is ante-  
 2 dated or post-dated, provided this is not done for an illegal or fraudulent pur-  
 3 pose. The person to whom an instrument so dated is delivered acquires the title  
 4 thereto as of the date of delivery.

Sec. 13. When an instrument expressed to be payable at a fixed period  
 2 after date is issued undated, or where the acceptance of an instrument payable  
 3 at a fixed period after sight is undated, any holder may insert therein the true  
 4 date of issue or acceptance, and the instrument shall be payable accordingly.  
 5 The insertion of a wrong date does not avoid the instrument in the hands of a  
 6 subsequent holder in due course, but as to him, the date so inserted is to be re-  
 7 garded as the true date.

Sec. 14. Where the instrument is wanting in any material particular, the  
 2 person in possession thereof has a *prima facie* authority to complete it by filling  
 3 up the blanks therein. And a signature on a blank paper delivered by the person  
 4 making the signature in order that the paper may be converted into a negotiable  
 5 instrument operates as a *prima facie* authority to fill it up as such for an  
 6 amount. In order, however, that any such instrument when completed may be  
 7 enforced against any person who became a party thereto prior to its completion  
 8 it must be filled up strictly in accordance with the authority given and within a  
 9 reasonable time. But if any such instrument, after completion, is negotiable to  
 10 a holder in due course it is valid and effectual for all purposes in his hands, and  
 11 he may enforce it as if it had been filled up strictly in accordance with the au-  
 12 thority given and within a reasonable time.

Sec. 15. Where an incomplete instrument has not been delivered it will not,  
 2 if completed and negotiated, without authority, be a valid contract in the hands  
 3 of any holder, as against any person whose signature was placed thereon before  
 4 delivery.

Sec. 16. Every contract on a negotiable instrument is incomplete and re-  
 2 vocable until delivery of the instrument for the purpose of giving effect there-  
 3 to. As between immediate parties, and as regards a remote party other than a  
 4 holder in due course, the delivery, in order to be effectual, must be made either  
 5 by or under the authority of the party making, drawing, accepting or indorsing,  
 6 as the case may be; and in such case the delivery may be shown to have been con-  
 7 ditional or for a special purpose only, and not for the purpose of transferring  
 8 the property in the instrument. But where the instrument is in the hands of a  
 9 holder in due course, a valid delivery thereof by all parties prior to him so as to  
 10 make them liable to him, is conclusively presumed. And where the instrument is  
 11 no longer in the possession of a party whose signature appears thereon, a valid  
 12 and intentional delivery by him is presumed until the contrary is proved.

Sec. 17. Where the language of the instrument is ambiguous, or there are  
 2 omissions therein the following rules of construction apply:

- 3 1. Where the sum payable is expressed in words and also in figures and there  
 4 is a discrepancy between the two, the sum denoted by the words is the  
 5 sum payable; but if the words are ambiguous or uncertain, reference  
 6 may be had to the figures to fix the amount.
- 7 2. Where the instrument provides for the payment of interest, without spec-  
 8 ifying the date from which interest is to run, the interest runs from the



9           date of the instrument, and if the instrument is undated, from the issue  
10           thereof.

11           3. Where the instrument is not dated, it will be considered to be dated as of  
12           the time it was issued.

13           4. Where there is conflict between the written and printed provisions of the  
14           instrument, the written provisions prevail.

15           5. Where the instrument is so ambiguous that there is doubt whether it is a  
16           bill or a note, the holder may treat it as either, at his election.

17           6. Where a signature is so placed upon the instrument that it is not clear in  
18           what capacity the person making the same intended to sign, he is to be  
19           deemed an endorser.

20           7. Where an instrument containing the words "I promise to pay" is signed  
21           by two or more persons, they are deemed to be jointly and severally  
22           liable thereon.

Sec. 18. No person is liable on the instrument whose signature does not  
2   appear thereon, except as herein otherwise expressly provided. But one who  
3   signs in a trade or assumed name will be liable to the same extent as if he  
4   had signed in his own name.

Sec. 19. The signature of any party may be made by a duly authorized  
2   agent. No particular form of appointment is necessary for this purpose; and  
3   the authority of the agent may be established as in other cases of agency.

Sec. 20. Where the instrument contains, or a person adds to his signature

words indicating that he signs for or on behalf of the principal, or in a representative capacity, he is not liable on the instrument if he was duly authorized; but the mere addition of words describing him as an agent, or as filling a representative character without disclosing his principal, does not exempt him from personal liability.

Sec. 21. A signature by "procuration" operates as notice that the agent has but limited authority to sign, and the principal is bound only in case the agent in so signing acted within the actual limits of his authority.

Sec. 22. The indorsement or assignment of the instrument by a corporation or by an infant passes the property therein, notwithstanding that from want of capacity the corporation or infant may incur no liability thereon.

Sec. 23. Where a signature is forged or made without the authority of the person whose signature it purports to be, it is wholly inoperative, and no right to retain the instrument, or to give a discharge thereof, or to enforce payment thereof against any party thereto, can be acquired through or under such signature, unless the party against whom it is sought to enforce such right is precluded from setting up the forgery or want of authority.

## ARTICLE II.—CONSIDERATION.

Sec. 24. Every negotiable instrument is deemed *prima facie* to have been issued for a valuable consideration, and every person whose signature appears thereon to have become a party thereto for value.

Sec. 25. Value is any consideration sufficient to support a simple contract.

2 An antecedent or pre-existing debt constitutes value, and is deemed such,  
3 whether the instrument is payable on demand or at a future time.

Sec. 26. Where value has at any time been given for the instrument, the  
2 holder is deemed a holder for value in respect to all parties who became such  
3 prior to that time.

Sec. 27. Whether the holder has a lien on the instrument, arising either  
2 from contract or by implication of law, he is deemed a holder for value to the ex-  
3 tent of his lien.

Sec. 28. Absence of failure of consideration is a matter of defense as  
2 against any person not a holder in due course, and partial failure of considera-  
3 tion is a defense *pro tanto*, whether the failure is an ascertained and liquidated  
4 amount or otherwise.

Sec. 29. An accommodation party is one who has signed the instrument  
2 as maker, drawer, acceptor, or indorser, without receiving value therefor, and  
3 for the purpose of lending his name to some other person. Such a person is  
4 liable on the instrument to a holder for value, notwithstanding such holder at  
5 the time of taking the instrument knew him to be only an accommodation  
6 party.

### ARTICLE III.—NEGOTIATION.

Sec. 30. An instrument is negotiated when it is transferred from one per-  
2 son to another in such manner as to constitute the transferee the holder thereof  
3 if payable to bearer, it is negotiated by delivery; if payable to order, it is negoti-  
4 ated by the endorsement of the holder, completed by delivery.

Sec. 31. The indorsement must be written on the instrument itself or upon  
 2 a paper attached thereto. The signature of the indorser, without additional  
 3 words, is a sufficient indorsement.

Sec. 32. The indorsement must be an indorsement of the entire instrument.  
 2 An indorsement which purports to transfer to the indorsee a part only of the  
 3 amount payable, or which purports to transfer the instrument to two or more  
 4 indorsees severally, does not operate as a negotiation of the instrument. But  
 5 where the instrument has been paid in part, it may be indorsed as to the residue.

Sec. 33. An indorsement may be either in blank or special; and it may also  
 2 be either restrictive or qualified, or conditional.

Sec. 34. A special indorsement specifies the person to whom or to whose  
 2 order the instrument is to be payable; and the indorsement of such indorsee is  
 necessary to the further negotiation of the instrument. An indorsement in blank  
 4 specifies no indorsee, and an instrument so indorsed is payable to bearer, and  
 5 may be negotiated by delivery.

Sec. 35. The holder may convert a blank indorsement into a special in-  
 2 dorsement by writing over the signature of the indorser in blank any contract  
 3 consistent with the character of the indorsement.

Sec. 36. An indorsement is restrictive which either:

1. Prohibits the further negotiation of the instrument; or
  2. Constitutes the indorsee the agent of the indorser; or
  3. Vests the title in the indorsee in trust for or to the use of some other
- 5 person. But the mere absence of words implying power to negotiate does not  
 6 make an indorsement restrictive.



Sec. 37. A restrictive indorsement confers upon the indorsee the right:

1. To receive payment of the instrument.

2. To bring any action thereon that the indorser could bring.

3. To transfer his rights as such indorsee, where the form of the indorsement authorizes him to do so.

But all subsequent indorsees acquire only the title of the first indorsee under the restrictive indorsement.

Sec. 38. A qualified indorsement constitutes the indorser a mere assignor of the title to the instrument. It may be made by adding to the indorser's signature the words "without recourse" or any words of similar import. Such an indorsement does not impair the negotiable character of the instrument.

Sec. 39. Where an indorsement is conditional, a party required to pay the instrument may disregard the condition, and make a payment to the indorsee or his transferee, whether the condition has been fulfilled or not. But any person to whom an instrument so indorsed is negotiated, will hold the same, or the proceeds thereof, subject to the rights of the person indorsing conditionally.

Sec. 40. Where an instrument, payable to bearer, is indorsed specially, it may nevertheless be further negotiated by delivery; but the person indorsing specially is liable as indorser to only such holders as to make the title through his indorsement.

Sec. 41. Where an instrument is payable to the order of two or more payees or indorsees who are not partners, all must indorse unless the one indorsing has authority to indorse for the others.

Sec. 42. Where an instrument is drawn or indorsed to a person, as "Cash,"



ier'' or other fiscal officer of a bank or corporation, it is deemed *prima facie* to be payable to the bank or corporation of which he is such officer; and may be negotiated by either the indorsement of the bank or corporation, or the indorsement of the officer.

Sec. 43. Where the name of the payee or indorsee is wrongly designated or misspelled, he may indorse the instrument as therein described, adding, if he think fit, his proper signature.

Sec. 44. Where any person is under obligation to indorse in a representative capacity, he may indorse in such terms as to negative personal liability.

Sec. 45. Except where an indorsement bears date after the maturity of the instrument, every negotiation is deemed *prima facie* to have been effected before the instrument was overdue.

Sec. 46. Except where the contrary appears, every indorsement is presumed *prima facie* to have been made at the place where the instrument is dated.

Sec. 47. An instrument negotiable in its origin continues to be negotiable until it has been restrictively indorsed or discharged by payment or otherwise.

Sec. 48. The owner may at any time strike out any indorsement which is not necessary to his title. The indorser whose indorsement is struck out, and all indorsers subsequent to him, are thereby relieved from liability on the instrument.

Sec. 49. Where the holder of an instrument payable to his order transfers it for value without indorsing it, the transferer vests in the transferee such title as the transferee had therein, and the transferee acquires, in addition, the right to have the indorsement of the transferer. But for the purpose of determin-

ing whether the transferee is a holder in due course, the negotiation takes effect as of the time when the indorsement is actually made.

Sec. 50. Where an instrument is negotiated back to a prior party, such party may, subject to the provisions of this Act, reissue and further negotiate the same—but he is not entitled to enforce payment thereof against any intervening party to whom he was personally liable.

#### ARTICLE IV.—RIGHTS OF THE HOLDER.

Sec. 51. The holder of a negotiable instrument may sue thereon in his own name and payment to him in due course of time discharges the instrument.

Sec. 52. A holder in due course is a holder who has taken the instrument under the following conditions:

1. That the instrument is complete and regular upon its face.
2. That he became the holder of it before it was overdue, and without notice that it had been previously dishonored, if such was the fact.
3. That he took it in good faith and for value.
4. That at the time it was negotiated to him he had no notice of any infirmity in the instrument or defect in the title of the person negotiating it.

Sec. 53. Where an instrument payable on demand is negotiated an unreasonable length of time after its issue, the holder is not deemed a holder in due course.

Sec. 54. Where the transferee receives notice of any infirmity in the instrument or defect in the title of the person negotiating the same before he has paid the full amount agreed to be paid therefor, he will be deemed a holder in due course only to the extent of the amount theretofore paid by him.

Sec. 55. The title of a person who negotiates an instrument is defective  
 2 within the meaning of this Act when he obtained the instrument, or any signa-  
 3 ture thereto, by fraud, duress, or force and fear, or other unlawful means, or  
 4 for an illegal consideration or when he negotiates it in breach of faith, or under  
 5 such circumstances as amount to a fraud.

Sec. 56. To constitute notice of an infirmity in the instrument or defect in  
 2 the title of the person negotiating the same, the person to whom it is negotiated  
 3 must have had actual knowledge of the infirmity or defect, or knowledge of such  
 4 facts that his action in taking the instrument amounted to bad faith.

Sec. 57. A holder in due course holds the instrument free from any defect  
 2 of title of prior parties, and free from defenses available to prior parties among  
 3 themselves and the enforced payment of the instrument for the full amount  
 4 thereof against all parties liable thereon.

Sec. 58. In the hands of any holder other than a holder in due course, a  
 2 negotiable instrument is subject to the same defenses as if it were non-negotiable.  
 3 But a holder who derives his title through a holder in due course, and who is not  
 4 himself a party to any fraud or illegality affecting the instrument, has all the  
 5 rights of such former holder in respect of all parties prior to the latter.

Sec. 59. Every holder is deemed *prima facie* to be a holder in due course;  
 2 but when it is shown that the title of any person who has negotiated the instru-  
 3 ment was defective, the burden is on the holder to prove that he or some  
 4 person under whom he claims acquired the title as a holder in due course. But  
 5 the last mentioned rule does not apply in favor of a party who became bound on  
 6 the instrument prior to the acquisition of such defective title.

ARTICLE V.—LIABILITIES OF PARTIES.

Sec. 60. The maker of a negotiable instrument by making it engages that  
 2 he will pay it according to its tenor, and admits the existence of the payee and  
 3 his then capacity to indorse.

Sec. 61. The drawer by drawing the instrument admits the existence of the  
 2 payee and his then capacity to indorse, and engages that on due presentment of  
 3 the instrument will be accepted or paid, or both, according to its tenor, and that  
 4 if it be dishonored, and the necessary proceedings on dishonor be duly taken, he  
 5 will pay the amount thereof to the holder, or to any subsequent indorser who  
 6 may be compelled to pay it. But the drawer may insert in the instrument an ex-  
 7 press stipulation negating or limiting his own liability to the holder.

Sec. 62. The acceptor by accepting the instrument engages that he will pay  
 2 it according to the tenor of his acceptance, and admits:

3 1. The existence of the drawer, the genuineness of his signature, and his  
 4 capacity and authority to draw the instrument; and

5 2. The existence of the payee and his then capacity to endorse.

Sec. 63. A person placing his signature upon an instrument otherwise than  
 2 as maker, drawer or acceptor is deemed to be an indorser, unless he clearly indi-  
 3 cates by appropriate words his intention to be bound in some other capacity.

Sec. 64. Where a person, not otherwise a party to an instrument, places  
 2 thereon his signature in blank before delivery, he is liable as indorser in accord-  
 3 ance with the following rules:



1. If the instrument is payable to the order of a third person, he is liable to  
to the payee and to all subsequent parties.
2. If the instrument is payable to the order of the maker or drawer, or is  
payable to bearer, he is liable to all parties subsequent to the maker or  
drawer.
3. If he signs for the accommodation of the payee, he is liable to all parties  
subsequent to the payee.

Sec. 65. Every person negotiating an instrument by delivery or by a qualified indorsement, warrants:

1. That the instrument is genuine in all respects that it purports to be.
2. That he has a good title to it.
3. That all prior parties had capacity to contract.
4. That he has no knowledge of any fact which would impair the validity of  
the instrument or render it valueless.

But when the negotiation is by delivery only, the warranty extends in favor of no holder other than the immediate transferee.

The provisions of subdivision three of this section do not apply to persons negotiating public or corporate securities, other than bills and notes.

Sec. 66. Every indorser who indorses without qualification, warrants to all subsequent holders in due course:



1. The matters and things mentioned in subdivision one, two and three of the next preceding section; and

2. That the instrument is at the time of his indorsement valid and subsisting.

And, in addition, he engages that on due presentment, it shall be accepted or paid, or both, as the case may be, according to its tenor, and that if it be dishonored and the necessary proceedings on dishonor be duly taken, he will pay the amount thereof to the holder, or to any subsequent indorser who may be compelled to pay it.

Sec. 67. Where a person places his indorsement on an instrument negotiable by delivery he incurs all the liabilities of an indorser.

Sec. 68. As respects one another, indorsers are liable *prima facie* in the order in which they indorse; but evidence is admissible to show that as between or among themselves they have agreed otherwise. Joint payees or joint indorsees who indorse are deemed to indorse jointly and severally.

Sec. 69. Where a broker or other agent negotiates an instrument without indorsement, he incurs all the liabilities prescribed by Section sixty-five of this Act, unless he discloses the name of his principal, and the fact that he is acting only as agent.

#### ARTICLE VI.—PRESENTMENT FOR PAYMENT.

Sec. 70. Presentment for payment is not necessary in order to charge the person primarily on the instrument; but if the instrument is, by its terms, payable at a special place, and he is able and willing to pay it there at maturity, such ability and willingness are equivalent to a tender of payment upon his part. But

5 except as herein otherwise provided, presentment for payment is necessary in or-  
 6 der to charge the drawer and indorsers.

Sec. 71. Where the instrument is not payable on demand, presentment must  
 2 be made on the day it falls due. Where it is payable on demand, presentment  
 3 must be made within a reasonable time after its issue, except that in the case of a  
 4 bill of exchange, presentment for payment will be sufficient if made within a rea-  
 5 sonable time after the last negotiation thereof.

Sec. 72. Presentment for payment, to be sufficient, must be made :

- 2 1. By the holder, or by some person authorized to receive payment on his  
 3 behalf.
- 4 2. At a reasonable hour on a business day.
- 5 3. At a proper place as herein defined.
- 6 4. To the person primarily liable on the instrument, or if he is absent or in-  
 7 accessible, to any person found at the place where the presentment is  
 8 made.

Sec. 73. Presentment for payment if made at the proper place :

- 2 1. Where a place of payment is specified in the instrument and it is there  
 3 presented.
- 4 2. Where no place of payment is specified and the address of the person to  
 5 make the payment is given in the instrument and it is there presented.
- 6 3. Where no place of payment is specified and no address is given and the  
 7 instrument is presented at the usual place of business or residence of the  
 8 person to make payment.

9        4. In any other case, if presented to the person to make payment wher  
 10            ever he can be found, or if presented at his last known place of busines  
 11            or residence.

Sec. 74. The instrument must be exhibited to the person from whom pay  
 2    ment is demanded, and when it is paid must be delivered up to the party payin  
 3    it.

Sec. 75. Where the instrument is payable at a bank, presentment for pay  
 2    ment must be made during banking hours, unless the person to make paymer  
 3    has no funds there to meet it at any time during the day, in which case presen  
 4    ment at any hour before the bank is closed on that day is sufficient.

Sec. 76. Where the person primarily liable on the instrument is dead, an  
 2    no place of payment is specified, presentment for payment must be made to h  
 3    personal representative if such there be, and the exercise of reasonable diligen  
 4    he can be found.

Sec. 77. Where the persons primarily liable on the instrument are liable  
 2    partners, and no place of payment is specified, presentment for payment may  
 3    made to any one of them, even though there has been a dissolution of the firm.

Sec. 78. Where there are several persons, not partners, primarily liable  
 2    the instrument, and no place of payment is specified, presentment must be ma  
 3    to them all.

Sec. 79. Presentment for payment is not required in order to charge to  
 2    drawer where he has no right to expect or require that the drawee or acceptor w  
 3    pay the instrument.

Sec. 80. Presentment for payment is not required in order to charge an indorser where the instrument was made or accepted for his accommodation, and he has no reason to expect that the instrument will be paid if presented.

Sec. 81. Delay in making presentment for payment is excused when the delay is caused by circumstances beyond the control of the holder, and not imputable to his default, misconduct or negligence. When the cause of delay ceases to operate, presentment must be made with reasonable diligence.

Sec. 82. Presentment for payment is dispensed with:

1. When after the exercise of reasonable diligence presentment as required by this Act cannot be made.
2. Where the drawee is a fictitious person.
3. By waiver of presentment, express or implied.

Sec. 83. The instrument is dishonored by non-payment when:

1. It is duly presented for payment and payment is refused or cannot be obtained; or
2. Presentment is excused and the instrument is overdue and unpaid.

Sec. 84. Subject to the provisions of this Act, when the instrument is dishonored by non-payment, an immediate right of recourse to all parties secondarily liable thereon accrues to the holder.

Sec. 85. Every negotiable instrument is payable at the time fixed therein without grace. When the day of maturity falls upon Sunday, or a holiday, the



3 instrument is payable on the next succeeding business day. Instruments falling  
 4 due on Saturday are to be presented for payment on the next succeeding busi-  
 5 ness day, except that instruments payable on demand may, at the option of the  
 6 holder, be presented for payment before 12:00 o'clock noon on Saturday, when  
 7 that entire day is not a holiday.

Sec. 86. Where the instrument is payable at a fixed period after date, after  
 2 sight, or after the happening of a specified event, the time of payment is deter-  
 3 mined by excluding the day from which the time is to begin to run, and by includ-  
 4 ing the date of payment.

Sec. 87. Where the instrument is made payable at a bank, it is equivalent  
 2 to an order to the bank to pay the same for the account of the principal debtor  
 3 thereon.

Sec. 88. Payment is made in due course when it is made at or after ma-  
 2 turity of the instrument to the holder thereof in good faith and without notice  
 3 that his title is defective.

#### ARTICLE VII.—NOTICE OF DISHONOR.

Sec. 89. Except as herein otherwise provided, when a negotiable instru-  
 2 ment has been dishonored by non-acceptance or non-payment, notice of dishonor  
 3 must be given to the drawer and to each indorser, and any drawer or indorser to  
 4 whom such notice is not given is discharged.

Sec. 90. The notice may be given by or on behalf of the holder, or by or on  
 2 behalf of any party to the instrument who might be compelled to pay it to the  
 3 holder, and who, upon taking it up, would have a right to reimbursement from  
 4 the party to whom the notice is given.



Sec. 91. Notice of dishonor may be given by an agent either in his own name or in the name of any party entitled to give notice, whether that party be his principal or not.

Sec. 92. Where notice is given by or on behalf of the holder, it inures for the benefit of all subsequent holders and all prior parties who have a right of recourse against the party to whom it is given.

Sec. 93. Where notice is given by or on behalf of a party entitled to give notice, it inures for the benefit of the holder and all parties subsequent to the party to whom notice is given.

Sec. 94. Where the instrument has been dishonored in the hands of an agent, he may either himself give notice to the parties liable thereon, or he may give notice to his principal. If he gives notice to his principal, he must do so within the same time as if he were the holder, and the principal, upon the receipt of such notice, has himself the same time for giving notice as if the agent had been an independent holder.

Sec. 95. A written notice need not be signed, and an insufficient written notice may be supplemented and validated by verbal communication. A misdescription of the instrument does not vitiate unless the party to whom the notice is given is in fact misled thereby.

Sec. 96. The notice may be in writing or merely oral and may be given in any terms which sufficiently identify the instrument and indicate that it has been dishonored by non-acceptance or non-payment. It may in all cases be given by delivering it personally or through the mails.

Sec. 97. Notice of dishonor may be given either to the party himself or to  
 2 his agent in that behalf.

Sec. 98. Where any party is dead, and his death is known to the party giving  
 2 notice, the notice must be given to a personal representative, if there be one,  
 3 and if with reasonable diligence, he can be found. If there be no personal representative,  
 4 notice may be sent to the last residence or last place of business of the  
 5 deceased.

Sec. 99. Where the parties to be notified are partners, notice to any one  
 2 partner is notice to the firm, even though there has been a dissolution.

Sec. 100. Notice to joint parties who are not partners must be given to each  
 2 of them, unless one of them has authority to receive such notice for the others.

Sec. 101. Where a party has been adjudged a bankrupt or an insolvent, or  
 2 has made an assignment for the benefit of his creditors, notice may be given  
 3 either to the party himself or to his trustee or assignee.

Sec. 102. Notice may be given as soon as the instrument is dishonored, and  
 2 unless delay is excused as hereinafter provided, must be given within the times  
 3 fixed by this Act.

Sec. 103. Where the person giving and the person to receive notice reside  
 2 in same place, notice must be given within the following times:

- 3 1. If given at the place of business of the person to receive notice, it must be  
 4 given before the close of business hours on the day following.
- 5 2. If given at his residence, it must be given before the usual hours of rest  
 6 on the day following.

3. If sent by mail, it must be deposited in the postoffice in time to reach him in the usual course of the day following.

Sec. 104. Where the person giving and the person to receive notice reside in different places, the notice must be given within the following times:

1. If sent by mail, it must be deposited in the postoffice in time to go by mail the day following the day of dishonor, or if there be no mail at a convenient hour on that day, by the next mail thereafter.
2. If given otherwise than through the postoffice, then within the time that notice would have been received in due course of mail, if it had been deposited in the postoffice within the time specified in the last subdivision.

Sec. 105. Where notice of dishonor is duly addressed and deposited in the postoffice, the sender is deemed to have given due notice, notwithstanding any miscarriage in the mails.

Sec. 106. Notice is deemed to have been deposited in the postoffice when deposited in any branch postoffice or in any letter box under the control of the postoffice department.

Sec. 107. Where a party receives notice of dishonor, he has, after the receipt of such notice, the same time for giving notice to antecedent parties that the holder has after the dishonor.

Sec. 108. Where a party has added an address to his signature, notice of dishonor must be sent to that address; but if he has not given such address, then the notice must be sent as follows:

1. Either to the postoffice nearest to his place of residence, or to the postoffice where he is accustomed to receive his letters; or
2. If he lives in one place, and has his place of business in another, notice may be sent to either place; or
3. If he is sojourning in another place, notice may be sent to the place where he is sojourning.

But where the notice is actually received by the party within the time specified in this Act, it will be sufficient, though not sent in accordance with the requirements of this section.

Sec. 109. Notice of dishonor may be waived, either before the time of giving notice has arrived, or after the omission to give due notice, and the waiver may be express or implied.

Sec. 110. Where the waiver is embodied in the instrument itself, it is binding upon all parties; but where it is written above the signature of an indorser, it binds him only.

Sec. 111. A waiver of protest, whether in the case of a foreign bill of exchange or other negotiable instrument, is deemed to be a waiver not only of a formal protest, but also of a presentment and notice of dishonor.

Sec. 112. Notice of dishonor is dispensed with when, after the exercise of reasonable diligence, it can not be given to or does not reach the parties sought to be charged.

Sec. 113. Delay in giving notice of dishonor is excused when the delay is



caused by circumstances beyond the control of the holder and not imputable to his default, misconduct or negligence. When the cause of delay ceases to operate, notice must be given with reasonable diligence.

Sec. 114. Notice of dishonor is not required to be given to the drawer in either of the following cases:

1. Where the drawer and the drawee are the same person.
2. Where the drawee is a fictitious person or a person not having capacity to contract.
3. Where the drawer is the person to whom the instrument is presented for payment.
4. Where the drawer has no right to expect or require that the drawee or acceptor will honor the instrument.
5. Where the drawer has countermanded payment.

Sec. 115. Notice of dishonor is not required to be given to an indorser in either of the following cases:

1. Where the drawee is a fictitious person or a person not having capacity to contract and the indorser was aware of the fact at the time he indorsed the instrument.
2. Where the indorser is the person to whom the instrument is presented for payment.
3. Where the instrument was made or accepted for his accommodation.



Sec. 116. Where due notice of dishonor by non-acceptance has been given,  
 2 notice of a subsequent dishonor by non-payment is not necessary, unless in the  
 3 meantime the instrument has been accepted.

Sec. 117. An omission to give notice of dishonor by non-acceptance does  
 2 not prejudice the rights of a holder in due course subsequent to the omission.

Sec. 118. Where any negotiable instrument has been dishonored it may be  
 2 protested for non-acceptance or non-payment as the case may be; but protest is  
 3 not required, except in the case of foreign bills of exchange.

#### ARTICLE VIII.—DISCHARGE OF NEGOTIABLE INSTRUMENTS.

Sec. 119. A negotiable instrument is discharged:

- 2 1. By payment in due course by or on behalf of the principal debtor.
- 3 2. By payment in due course by the party accommodated, where the instru-
- 4 ment is made or accepted for accommodation.
- 5 3. By the intentional cancellation thereof by the holder.
- 6 4. By any other act which will discharge a simple contract for the payment
- 7 of money.
- 8 5. When the principal debtor becomes the holder of the instrument at or
- 9 after maturity in his own right.

Sec. 120. A person secondarily liable on the instrument is discharged:

- 2 1. By an act which discharges the instrument.

2. By the intentional cancellation of his signature by the holder.

3. By the discharge of a prior party.

4. By a valid tender of payment made by a prior party.

5. By a release of the principal debtor, unless the holder's right of recourse against the party secondarily liable is expressly reserved.

6. By an agreement binding upon the holder to extend the time of payment, or to postpone the holder's right to enforce the instrument, unless made with the assent of the party secondarily liable, or unless the right of recourse against such party is expressly reserved.

Sec. 121. Where the instrument is paid by a party secondarily liable there-

on, it is not discharged; but the party so paying it is remitted to his former rights as regards all prior parties, and he may strike out his own and all subsequent indorsements, and again negotiate the instrument, except:

1. Where it is payable to the order of a third person, and has been paid by the drawer; and

2. Where it was made or accepted for accommodation, has been paid by the party accommodated.

Sec. 122. The holder may expressly renounce his rights against any party

to the instrument before, at, or after its maturity. An absolute and unconditional renunciation of his rights against the principal debtor made at or after the maturity of the instrument, discharges the instrument. But a renunciation does not affect the rights of a holder in due course without notice. A renunciation must be in writing, unless the instrument is delivered up to the person primarily liable thereon.

Sec. 123. A cancellation made unintentionally, or under a mistake, or without the authority of the holder, is inoperative; but where an instrument or any signature thereon appears to have been cancelled, the burden of proof lies on the party who alleges that the cancellation was made unintentionally, or under a mistake or without authority.

Sec. 124. Where a negotiable instrument is materially altered without the assent of all the parties liable thereon, it is avoided, except as against a party who has himself made, authorized or assented to the alteration and subsequent endorsers.

But when an instrument has been materially altered and is in the hands of a holder in due course, not a party to the alteration, he may enforce payment thereof according to its original tenor.

Sec. 125. Any alteration which changes:

1. The date.
2. The sum payable, either for principal or interest.
3. The time or place of payment.
4. The number and the relations of the parties.
5. The medium or currency in which payment is to be made.

Or which adds a place of payment where no place of payment is specified, or any other change or addition which alters the effect of the instrument in any respect, is a material alteration.

## TITLE II.—BILLS OF EXCHANGE.

## ARTICLE I.—FORM AND INTERPRETATION.

Sec. 126. A bill of exchange is an unconditional order in writing addressed  
2 by one person to another, signed by the person giving it, requiring the person  
3 to whom it is addressed to pay on demand, or at a fixed or determinable future  
4 time, a sum certain in money to order or to bearer.

Sec. 127. A bill of itself does not operate as an assignment of the funds  
2 in the hands of the drawee available for the payment thereof, and the drawee  
3 is not liable on the bill unless and until he accepts the same.

Sec. 128. A bill may be addressed to two or more drawees jointly, whether  
2 they are partners or not; but not to two or more drawees in the alternative or in  
3 succession.

Sec. 129. An inland bill of exchange is a bill which is, or on its face pur-  
2 ports to be, both drawn and payable within this State. Any other bill is a foreign  
3 bill. Unless the contrary appears on the face of the bill, the holder may treat  
4 it as an inland bill.

Sec. 130. Where in a bill drawer and drawee are the same person, or where  
2 the drawee is a fictitious person, or a person not having capacity to contract, the  
3 holder may treat the instrument at his option, either as a bill of exchange or a  
4 promissory note.

Sec. 131. The drawer of a bill and any indorser may insert thereon the  
2 name of a person to whom the holder may resort in case of need, that is to say,



3 in case the bill is dishonored by non-acceptance or non-payment. Such person  
 4 is called the referee in case of need. It is the option of the holder to resort to  
 5 the referee in case of need, or not, as he may see fit.

## ARTICLE II.—ACCEPTANCE.

Sec. 132. The acceptance of a bill is the signification by the drawee of his  
 2 assent to the order of the drawer. The acceptance must be in writing and signed  
 3 by the drawee. It must not express that the drawee will perform his promise by  
 4 any other means than the payment of money.

Sec. 133. The holder of a bill presenting the same for acceptance may re-  
 2 quire that the acceptance be written on the bill, and if such request is refused  
 3 may treat the bill as dishonored.

Sec. 134. Where an acceptance is written on a paper other than the bill  
 2 itself, it does not bind the acceptor except in favor of a person to whom it is  
 3 shown and who, on the faith thereof, receives the bill for value.

Sec. 135. An unconditional promise in writing to accept a bill before it is  
 2 drawn is deemed an actual acceptance in favor of every person who, upon the  
 3 faith thereof, receives the bill for value.

Sec. 136. The drawee is allowed twenty-four hours after presentment in  
 2 which to decide whether or not he will accept the bill; but the acceptance, if  
 3 given, dates as the day of presentation.

Sec. 137. Where a drawee to whom a bill is delivered for acceptance de-  
 2 stroys the same, or refuses within twenty-four hours after such delivery, or with-



3 in such other period as the holder may allow, to return the bill accepted or non-  
 4 accepted to the holder, he will be deemed to have accepted the same.

Sec. 138. A bill may be accepted before it has been signed by the drawer,  
 2 or while otherwise incomplete, or when it is overdue, or after it has been dis-  
 3 honored by a previous refusal to accept, or by non-payment. But when a bill  
 4 payable after sight is dishonored by non-acceptance and the drawee subsequently  
 5 accepts it, the holder, in the absence of any different agreement, is entitled to  
 6 have the bill accepted as of the date of the first presentment.

Sec. 139. An acceptance is either general or qualified. A general accept-  
 2 ance assents without qualification to the order of the drawer. A qualified accept-  
 3 ance in express terms varies the effect of the bill as drawn.

Sec. 140. An acceptance to pay at a particular place is a general acceptance  
 2 unless it expressly states that the bill is to be paid there only, and not else-  
 3 where.

Sec. 141. An acceptance is qualified which is:

- 2 1. Conditional; that is to say, which makes payment by the acceptor de-  
 3 pendent on the fulfillment of a condition therein stated.
- 4 2. Partial; that is to say, an acceptance to pay part only of the amount for  
 5 which the bill is drawn.
- 6 3. Local; that is to say, an acceptance to pay only at a particular place.
- 7 4. Qualified as to time.
- 8 5. The acceptance of some one or more of the drawees, but not all.

Sec. 142. The holder may refuse to take a qualified acceptance, and if he  
 2 does not obtain an unqualified acceptance, he may treat the bill as dishonored  
 3 by non-acceptance. Where a qualified acceptance is taken, the drawer and in-  
 4 dorsers are discharged from liability on the bill, unless they have expressly or  
 5 impliedly authorized the holder to take a qualified acceptance, or subsequently  
 6 assent thereto. When the drawer or indorser receives notices of a qualified  
 7 acceptance, he must within a reasonable time express his dissent to the holder,  
 8 or he will be deemed to have assented thereto.

### ARTICLE III.—PRESENTMENT FOR ACCEPTANCE.

Sec. 143. Presentment for acceptance must be made:

- 2 1. Where the bill is payable after sight, or any other case where present-  
 3 ment for acceptance is necessary in order to fix the maturity of the in-  
 4 strument; or
- 5 2. Where the bill expressly stipulates that it shall be presented for accept-  
 6 ance; or
- 7 3. Where the bill is drawn payable elsewhere than at the residence or place  
 8 of business of the drawee.

9 In no other case is presentment for acceptance necessary in order to render  
 10 any party to the bill liable.

Sec. 144. Except as herein otherwise provided, the holder of a bill which is  
 2 required by the next preceding section to be presented for acceptance must either  
 3 present it for acceptance or negotiate it within a reasonable time. If he fails  
 4 to do so, the drawer and all indorsers are discharged.

Sec. 145. Presentment for acceptance must be made by or on behalf of the holder at a reasonable hour, on a business day, and before the bill is overdue, to the drawer or some person authorized to accept or refuse acceptance on his behalf; and:

1. Where a bill is addressed to two or more drawees who are not partners, presentment must be made to them all, unless one has authority to accept or refuse acceptance for all, in which case presentment may be made to him only.

2. Where the drawee is dead, presentment may be made to his personal representative.

3. Where the drawee has been adjudged a bankrupt or an insolvent, or has made an assignment for the benefit of creditors, presentment may be made to him or to his trustee or assignee.

Sec. 146. A bill may be presented for acceptance on any day on which negotiable instruments may be presented for payment under the provisions of sections seventy-two and eighty-five of this Act. When Saturday is not otherwise a holiday, presentment for acceptance may be made before twelve o'clock noon on that day.

Sec. 147. Where the holder of a bill drawn payable elsewhere than at the place of business or residence of the drawee has not time, with the exercise of reasonable diligence, to present the bill for acceptance before presenting it for payment on the day that it falls due, the delay caused by presenting the bill for acceptance before presenting it for payment is excused and does not discharge the drawers and indorsers.

Sec. 148. Presentment for acceptance is excused and a bill may be treated  
 2 as dishonored by non-acceptance in either of the following cases:

- 3 1. Where the drawee is dead, or has absconded, or is a fictitious person or  
 4 a person not having capacity to contract by bill.
- 5 2. Where, after the exercise of reasonable diligence, presentment cannot  
 6 be made.
- 7 3. Where, although presentment has been irregular, acceptance has been re-  
 8 fused on some ground.

Sec. 149. A bill is dishonored by non-acceptance:

- 2 1. When it is duly presented for acceptance and such an acceptance as is pre-  
 3 scribed by this Act is refused or can not be obtained; or
- 4 2. When a presentment for acceptance is excused and the bill is not accepted.

Sec. 150. Where a bill is duly presented for acceptance and is not accept-  
 2 ed within the prescribed time, the person presenting it must treat the bill as dis-  
 3 honored by non-acceptance, or he loses the right of recourse against the drawer  
 4 and indorsers.

Sec. 151. When a bill is dishonored by non-acceptance, an immediate right  
 2 of recourse against the drawers and indorsers accrues to the holders, and no pre-  
 3 sentment for payment is necessary.

#### ARTICLE IV.—PROTEST.

Sec. 152. Where a foreign bill appearing on its face to be such is dishon-  
 2 ored by non-acceptance, it must be duly protested for non-acceptance, and where



3 such a bill which has not previously been dishonored by non-acceptance is dis-  
 4 honored by non-payment, it must be duly protested for non-payment. If it is not  
 5 so protested, the drawer and indorsers are discharged. Where a bill does not  
 6 appear on its face to be a foreign bill, protest thereof, in case of dishonor, is  
 7 unnecessary.

Sec. 153. The protest must be annexed to the bill, or must contain a copy  
 2 thereof, and must be under the hand and seal of the notary making it and must  
 3 specify:

- 4 1. The time and place of presentment.
- 5 2. The fact that presentment was made and the manner thereof.
- 6 3. The cause or reason for protesting the bill.
- 7 4. The demand made and the answer given, if any, of the fact that the  
 8 drawee or acceptor could not be found.

Sec. 154. Protest may be made by:

- 2 1. A notary public; or
- 3 2. By any respectable resident of the place where the bill is dishonored, or  
 4 in the presence of two or more credible witnesses.

Sec. 155. When a bill is protested, such protest must be made on the day  
 2 of its dishonor, unless delay is excused as herein provided. When a bill has been  
 3 duly noted, the protest may be subsequently extended as of the date of the not-  
 4 ing.

Sec. 156. A bill must be protested at the place where it is dishonored, ex-



cept that when a bill drawn payable at the place of business or residence of some person other than the drawee, has been dishonored by non-acceptance, it must be protested for non-payment at the place where it is expressed to be payable; and no other presentment for payment to, or demand on, the drawee is necessary.

Sec. 157. A bill which has been protested for non-acceptance may be subsequently protested for non-payment.

Sec. 158. When the acceptor has been adjudged a bankrupt or an insolvent or has made an assignment for the benefit of creditors, before the bill matures, the holder may cause the bill to be protested for better security against the drawer and indorsers.

Sec. 159. Protest is dispensed with by any circumstances which would dispense with notice of dishonor. Delay in noting or protesting is excused when delay is caused by circumstances beyond the control of the holder and not imputable to his default, misconduct or negligence. When the cause of delay ceases to operate, the bill must be noted or protested with reasonable diligence.

Sec. 160. Where a bill is lost or destroyed, or is wrongly detained from the person entitled to hold it, protest may be made on a copy or written particulars thereof.

#### ARTICLE V.—ACCEPTANCE FOR HONOR.

Sec. 161. Where a bill of exchange has been protested for dishonor by non-acceptance, or protested for better security, and is not overdue, any person not being a party already liable thereon, may, with the consent of the holder, intervene and accept the bill *supra* protest for the honor of any party liable thereon or for the honor of the person for whose account the bill is

6 drawn. The acceptance for honor may be for part only of the sum for which  
 7 the bill is drawn, and where there has been an acceptance for honor for one  
 8 party there may be a further acceptance by a different person for the honor of  
 9 another party.

Sec. 162. An acceptance for honor *supra* protest must be in writing and  
 2 indicate that it is an acceptance for honor, and must be signed by the acceptor  
 3 for honor.

Sec. 163. Where an acceptance for honor does not expressly state for  
 2 whose honor it was made, it is deemed to be an acceptance for the honor of the  
 3 drawer.

Sec. 164. The acceptor for honor is liable to the holder and to all parties  
 2 to the bill subsequent to the party for whose honor he has accepted.

Sec. 165. The acceptor for honor by such acceptance engages that he will,  
 2 on due presentment, pay the bill according to the terms of his acceptance, pro-  
 3 vided it shall not have been paid by the drawee, and provided also that it shall  
 4 have been duly presented for payment and protested for non-payment and  
 5 notice of dishonor given to him.

Sec. 166. When a bill payable after sight is accepted for honor, its ma-  
 2 turity is calculated from the date of the noting for non acceptance and not  
 3 from the date of the acceptance for honor.

Sec. 167. Where a dishonored bill has been accepted for honor *supra* pro-  
 2 test or contains a reference in case of need, it must be protested for non-pay-  
 3 ment before it is presented for payment to the acceptor for honor or referee  
 4 in case of need.

Sec. 168. Presentment for payment to the acceptor for honor must be made  
2 as follows:

- 3 1. If it is to be presented in the place where the protest for non-payment  
4 was made, it must be presented not later than the day following its  
5 maturity.
- 6 2. If it is to be presented in some other place than the place where it was  
7 protested, then it must be forwarded within the time specified in sec-  
8 tion 104.

Sec. 169. The provisions of section 81 apply where there is delay in mak-  
2 ing presentment to the acceptor for honor or referee in case of need.

Sec. 170. When the bill is dishonored by the acceptor for honor it must be  
2 protested for non-payment by him.

#### ARTICLE VI.—PAYMENT FOR HONOR.

Sec. 171. Where a bill has been protested for non-payment, any person  
2 may intervene and pay it *supra* protest for the honor of any person liable  
3 thereon or for the honor of the person for whose account it was drawn.

Sec. 172. The payment for honor *supra* protest in order to operate as such  
2 and not as a mere voluntary payment must be attested by a notarial act of honor  
3 which may be appended to the protest or form an extension to it.

Sec. 173. The notarial act of honor must be founded on a declaration made  
2 by the payer for honor or by his agent in that behalf declaring his intention to  
3 pay the bill for honor and for whose honor he pays.

Sec. 174. Where two or more persons offer to pay a bill for the honor of  
 2 different parties, the person whose payment will discharge most parties to the  
 3 bill is to be given the preference.

Sec. 175. Where a bill has been paid for honor, all parties subsequent to  
 2 the party for whose honor it is paid are discharged, but the payer for honor is  
 3 subrogated for, and succeeds to, both the rights and duties of the holder as re-  
 4 gards the party for whose honor he pays and all parties liable to the latter.

Sec. 176. Where the holder of a bill refuses to receive payment *supra*  
 2 protest, he loses his right of recourse against any party who would have been  
 3 discharged by such payment.

Sec. 177. The payer for honor, on paying to the holder the amount of the  
 2 bill and the notarial expenses incidental to its dishonor, is entitled to receive both  
 3 the bill itself and the protest.

#### ARTICLE VII.—BILLS IN A SET.

Sec. 178. Where a bill is drawn in a set, each part of the set being num-  
 2 bered and containing a reference to other parts, the whole of the parts consti-  
 3 tute one bill.

Sec. 179. Where two or more parts of a set are negotiated to different hold-  
 2 ers in due course, the holder whose title first accrues is, as between such holders,  
 3 the true owner of the bill. But nothing in this section affects the rights of a  
 4 person who in due course accepts or pays the part first presented to him.

Sec. 180. Where the holder of a set indorses two or more parts to different



2 persons he is liable on every such part, and every indorser subsequent to him  
 3 is liable on the part he has himself indorsed, as if such parts were separate  
 4 bills.

Sec. 181. The acceptance may be written on any part and it must be written  
 2 on one part only. If the drawee accepts more than one part, and such accepted  
 3 parts are negotiated to different holders in due course, he is liable on every such  
 4 part as if it were a separate bill.

Sec. 182. When the acceptor of a bill drawn in a set pays it without requir-  
 2 ing the part bearing his acceptance to be delivered up to him, and that part at  
 3 maturity is outstanding in the hands of a holder in due course, he is liable to the  
 4 holder thereon..

Sec. 183. Except as herein otherwise provided, where any one part of a  
 2 bill drawn in a set is discharged by payment or otherwise, the whole bill is  
 3 discharged.

### TITLE III.—PROMISSORY NOTES AND CHECKS.

#### ARTICLE I.

Sec. 184. A negotiable promissory note within the meaning of this Act is an  
 2 unconditional promise in writing made by one person to another, signed by the  
 3 maker, engaging to pay on demand or at a fixed or determinable future time, a  
 4 sum certain in money to order or to bearer. Where a note is drawn to the maker's  
 5 own order, it is not complete until indorsed by him.

Sec. 185. A check is a bill of exchange drawn on a bank payable on de-



mand. Except as herein otherwise provided, the provisions of this Act are applicable to a bill of exchange payable on demand apply to a check.

Sec. 186. A check must be presented for payment within a reasonable time after its issue, or the drawer will be discharged from liability thereon to the extent of the loss caused by the delay.

Sec. 187. Where a check is certified by the bank on which it is drawn, the certification is equivalent to an acceptance.

Sec. 188. Where the holder of a check procures it to be accepted or certified, the drawer and all indorsers are discharged from liability thereon.

Sec. 189. A check of itself does not operate as an assignment of any part of the funds to the credit of the drawer with the bank, and the bank is not liable to the holder, unless and until it accepts or certifies the check.

## TITLE IV.—GENERAL PROVISIONS.

### ARTICLE I.

Sec. 190. This Act shall be known as the Negotiable Instrument Law.

Sec. 191. In this Act, unless the context otherwise requires:

“Acceptance” means an acceptance completed by delivery or notification.

“Action” includes counter-claim and set-off.

“Bank” includes any person or association of persons carrying on the business of banking, whether incorporated or not.

“Bearer” means the person in possession of a bill or note which is payable to bearer.

“Bill” means bill of exchange, and “note” means negotiable promissory note.

10 “Delivery” means transfer of possession, actual or constructive, from one  
11 person to another.

12 “Holder” means the payee or indorsee of a bill or note, who is in possession  
13 of it, or the bearer thereof.

14 “Indorsement” means an indorsement completed by delivery.

15 “Instrument” means negotiable instrument.

16 “Issue” means the first delivery of the instrument, complete in form, to a  
17 person who takes it as a holder.

18 “Person” includes a body of persons, whether incorporated or not.

19 “Value” means valuable consideration.

20 “Written” includes printed, and “writing” includes print.

Sec. 192. The person “primarily” liable on an instrument is the person  
2 who, by the terms of the instrument, is absolutely required to pay the same. All  
3 other parties are “secondarily” liable.

Sec. 193. In determining what is a “reasonable time” or an “unreasonable  
2 time,” regard is to be had to the nature of the instrument, the usage of trade  
3 or business (if any) with respect to such instruments, and the facts of the par-  
4 ticular case.

Sec. 194. Where the day, or the last day, for doing an act herein required  
2 or permitted to be done falls on Sunday or on a holiday, the act may be done on  
3 the next succeeding secular or business day.

Sec. 195. The provisions of this Act do not apply to negotiable instru-  
2 ments made and delivered prior to the passage hereof.

Sec. 196. In any case not provided for in this Act, the rules of the law  
2 merchant shall govern.

Sec. 197. All laws or parts of laws inconsistent with this Act are hereby re-  
2 pealed.

- 1 Introduced by Mr. Harris, January 22, 1907.
- 2 Read first time, ordered printed and referred to Committee on Judiciary.

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## A BILL

For an act to amend section 3 of an act entitled "An Act to indemnify the owners of sheep in cases of damages committed by dogs," approved May 29, 1879, in force July 1, 1879, as amended by act approved and in force May 30, 1881, as amended by act approved April 21, 1899, and in force July 1, 1899.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That section 3 of an act entitled "An Act  
3 to indemnify the owners of sheep in cases of damages committed by dogs," ap-  
4 proved May 29, 1879, in force July 1, 1879, as amended by act approved and in  
5 force May 30, 1881, as amended by act approved April 21, 1899, and in force  
6 July 1, 1899, be and the same is hereby amended to read as follows:

Sec. 3. It shall be the duty of the county treasurer and supervisors having  
2 the custody of the funds collected as license fees, as aforesaid, to pay the same  
3 out in the manner following:

4 First - By such county treasurer to the owners of sheep in their respective  
 5 counties who shall make proof to him before the first Monday of March in each  
 6 year, of loss or injury to sheep by dogs, other than their own; and by such super-  
 7 visors to the owners of sheep in their respective towns, who shall make proof to  
 8 them before the township auditing day in March, in each year, of the loss or in-  
 9 jury to sheep by dogs, other than their own, the full amount of the loss or injury  
 10 so proved, if there are funds sufficient to pay the same. If there be not sufficient  
 11 funds to pay such loss or injury in full, then the owners of sheep so sustaining  
 12 loss or injury as aforesaid, and making proof thereof as in this Act provided,  
 13 shall be paid out of such fund in proportion to his or her loss or injury on his  
 14 or her pro rata share thereof: *Provided*, that if such funds shall not be sufficient  
 15 in any one year to pay such loss or injury in full, then the amount remaining un-  
 16 paid shall be paid pro rata with other proved claims for loss or injury, in each  
 17 succeeding year thereafter until fully paid.

18 Second - If there shall remain in the hands of the county treasurer, in coun-  
 19 ties not under township organization, an unexpended balance of such funds,  
 20 such balance, after paying all proved damages for loss or injury as aforesaid,  
 21 shall annually be turned into the general fund of the county and shall be used  
 22 for the same purposes as money raised by general taxation; and if there shall  
 23 remain in the hands of the supervisors, in counties under township organization,  
 24 an unexpended balance of such funds, after paying all proved damages for loss  
 25 or injury as aforesaid, said unexpended balance shall annually be turned into any  
 26 township fund of said township that the electors of said township, at the first  
 27 succeeding annual town meeting in April, decide upon by a majority vote.



- 1 Introduced by Mr. Harris, by request, January 22, 1907.
- 2 Read first time, ordered printed and referred to Committee on Railroads.

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## A BILL

For an act to establish a reasonable rate of fare for the transportation of passengers on all railroads doing business in this State of Illinois.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That all railroad corporations organized  
3 or doing business in this State, under the laws or authority thereof, now in  
4 force, shall be limited to a reasonable fare of two (2) cents per mile for the  
5 transportation of any person over the age of twelve (12) years, with ordinary  
6 baggage not to exceed one hundred and twenty-five (125) pounds in weight, and  
7 it is further provided that no such corporation shall charge, demand or receive  
8 any greater compensation per mile for transportation of children over five (5)  
9 years and under twelve (12) years of age than one-half the above mentioned rate,  
10 or one cent per mile, and: *Provided also,* a charge of ten (10) cents may be added  
11 to the fare of any passenger when the same is paid upon the cars, if a ticket



12 might have been procured within a reasonable time before the departure of the  
13 the train.

Sec. 2. It is further enacted that all children under five (5) years of age,  
2 when accompanied by their parents or guardian, or some other adult person,  
3 shall be transported free of charge over any railroad or roads organized and  
4 doing business under and by virtue of the laws of this State.

Sec. 3. All railroad corporations acting or doing business in this State shall  
2 keep posted in some public or conspicuous place (in all their depot buildings, a  
3 plain printed copy of this Act) with a table of distances between each and every  
4 station of their road, printed in plain figures.

Sec. 4. If any railroad company or corporation organized and doing busi-  
2 ness in this State under the laws thereof, shall charge, demand or receive any  
3 greater compensation for the transportation of any passenger or person than is  
4 authorized by this Act, they shall be liable to the party aggrieved in the sum of  
5 two hundred dollars (\$200), and the same may be recovered in an action of debt,  
6 together with all costs of suit and a reasonable attorney's fee, to be taxed by the  
7 court before whom the action is had.

Sec. 5. If any final judgment shall be recovered against any such corpora-  
2 tion or railroad under the provisions of this Act a fourth time, such corporation  
3 or company shall be liable to a penalty of one thousand dollars (\$1,000) for such  
4 violation, and upon the complaint of any reputable citizen, made to the state's  
5 attorney, in the county where the offense is committed, that four (4) judgments  
6 have been recovered against the corporation or company complained of, it shall  
7 be the duty of the state's attorney in the county in which the offense complained

8 of has been committed to proceed against the company in the name of the People  
9 of the State of Illinois, in an action of debt, in any court having competent juris-  
10 diction, to recover said penalty of one thousand dollars (\$1,000), together with  
11 all costs of suit and a reasonable attorney's fee, to be fixed by the court; the pen-  
12 alty when collected shall be paid into the county treasurer of the county in which  
13 the action was commenced.

Sec. 6. This Act shall not apply to any city or street railroad.

Sec. 7. All acts and parts of acts in reference to the transportation of pas-  
2 sengers over any railroads owned and operated by any corporation in this State  
3 under the laws thereof which is now in force, which conflicts with the provisions  
4 of this Act, be and the same are hereby expressly repealed.



- 1 Introduced by Mr. Hearn, January 22, 1907.
- 2 Read first time, ordered printed and referred to Committee on Banks and Bank-  
ing.

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## A BILL

For an act to amend section 17 of an act entitled “An Act to revise the law in relation to promissory notes, bonds, due bills and other instruments in writing,” approved March 18, 1874, in force July 1, 1874, as amended by an act approved June 4, 1895, in force July 1, 1895, and by an act in force July 1, 1905.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 17 of an act entitled “An Act to revise the law in relation to promissory notes, bonds, due bills, and other instruments in writing,” approved March 18, 1874, in force July 1, 1874, as amended by an act approved June 4, 1895, in force July 1, 1895, and by an act in force July 1, 1905, be and the same is hereby amended so as to read as follows:

Sec. 17. The following days, to-wit: The first day of January, commonly called New Year's day, the twenty-second day of February, the thirtieth day of

3 May, the fourth day of July, the twenty-fifth day of December, commonly called  
4 Christmas day, the first Monday in September, to be known as Labor day, the  
5 twelfth day of February, any day appointed or recommended by the Governor  
6 of this State, or by the President of the United States, as a day of fast or thanks-  
7 giving, and in cities of thirty thousand inhabitants or more, from 12 o'clock noon  
8 to 12 o'clock midnight of the last day of the week, commonly called Saturday, are  
9 hereby declared to be legal holidays and half holidays, the term half holiday  
10 including the period from noon to midnight of each Saturday which is not a holi-  
11 day, and shall for all purposes whatsoever as regards the presenting for pay-  
12 ment or acceptance, the maturity and protesting and giving notice of the dis-  
13 honor of bills of exchange, bank checks and promissory notes and other negotia-  
14 ble or commercial paper or instruments, be treated and is considered as is the  
15 first day of the week, commonly called Sunday. When any such holidays fall  
16 upon Sunday, the Monday next following shall be held and considered such holi-  
17 day. All notes, bills, drafts, checks or other evidence of indebtedness, falling  
18 due or maturing on either of said days, shall be deemed as due or maturing on  
19 the day following, and when two (2) or more of these days come together, or im-  
20 mediately succeeding each other, then such instruments, paper or indebtedness  
21 shall be deemed as due or having matured on the day following the last of such  
22 days.



- 1 Introduced by Mr. Hearn, Jan. 22, 1907.
- 2 Read first time, ordered printed and referred to Committee on Corporations.

## A BILL

For an act to amend Section 7 of an act entitled "An Act to provide for the punishment of persons, copartnerships or corporations forming pools, trusts and combines, and mode of procedure, and rules of evidence in such cases," approved June 11, 1891, and in force July 1, 1891, as amended by act approved June 20, 1893, and in force July 1, 1893.

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WHEREAS, Numerous corporations in this State, many of them of small capital, have become liable to prosecution under the said anti-trust act for inadvertent failure to file affidavits thereby required, and that said act imposes severe penalties for such failure, and

WHEREAS, The purpose of such act is to repress trusts and not to oppress small corporations, therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* That Section 7a of an act entitled "An  
3 Act to provide for the punishment of persons, copartnerships, or corporations  
4 forming pools, trusts and combines, and mode of procedure, and rules of evi-  
5 dence in such cases," approved June 11, 1891, and in force July 1, 1891, as  
6 amended by act approved June 20, 1893, and in force July 1, 1893, be amended  
7 so as to read as follows:

Sec. 7a. It shall be the duty of the Secretary of State, on or about the first  
2 day of September of each year, to address to the president, secretary or treas-  
3 urer, of each incorporated company doing business in this State, whose postoffice  
4 address is known or may be ascertained, a letter of inquiry as to whether the said  
5 corporation has all or any part of its business or interest in or with any trust,  
6 combination or association of persons or stockholders, as named in the preceding  
7 provisions of this Act, and to require an answer, under oath, of the president, sec-  
8 retary or treasurer, or any director of said company, a form of affidavit shall be  
9 enclosed in said letter of inquiry, as follows:

#### AFFIDAVIT.

10 State of Illinois,                    }  
11 County of ——— —                } ss.

12 I, —————, do solemnly swear that I am the ————— (presi-  
13 dent, secretary, treasurer, or director) of the corporation known and styled  
14 —————, duly incorporated under the laws of —————, on the  
15 ————day of ————, 18—, and now transacting or conducting business  
16 in the State of Illinois, and that I am duly authorized to represent said corpora-  
17 tion in the making of this affidavit; and I do further solemnly swear that the said

18 ----- known and styled as aforesaid, has not since the -----  
19 day of ----- (naming the day upon which this Act takes effect) created,  
20 entered into or become a member of or a party to, and was not, on the -----  
21 day of -----, nor at any day since that date, and is not now, a member  
22 of or a party to any pool, trust, agreement, combination, confederation or under-  
23 standing with any other corporation, partnership, individual or any other person  
24 or association of persons, to regulate or fix the price of any article of merchan-  
25 dise or commodity; and that it has not entered into or become a member of or a  
26 party to any pool, trust, agreement, contract, combination or confederation to fix  
27 or limit the amount or quantity of any article, commodity or merchandise, to be  
28 manufactured, mined, produced or sold in this State; and that it has not issued  
29 and does not own any trust certificates, and for any corporation, agent, officer, or  
30 employe, or for the directors or stockholders of any corporation, has not entered  
31 into and is not now in any combination, contract or agreement with any person or  
32 persons, corporation or corporations, or with any stockholder or director thereof,  
33 the purpose and effect of which said combination, contract or agreement would  
34 be to place the management or control of such combination or combinations, or  
35 the manufactured product thereof, in the hands of any trustee or trustees, with  
36 the intent to limit or fix the price or lessen the production and sales of any article  
37 of commerce, use or consumption, or to prevent, restrict or diminish the manu-  
38 facture or output of such article.

39 .....  
40 (President, secretary, treasurer or director.)

41 Subscribed and sworn to before me, a ..... within and for  
42 the county of ..... this ..... day of ....., 18...

43 (Seal) .....

44 And on refusal to make oath to said inquiry, or on failure to do so within  
 45 thirty days from the mailing thereof, the Secretary of State shall certify that fact  
 46 to the Attorney General, whose duty it shall be to direct the State's Attorney of  
 47 the county wherein such corporation or corporations are located, and it is hereby  
 48 made the duty of the State's Attorney, under the direction of the Attorney Gen-  
 49 eral, at the earliest practical moment, in the name of the people of the State of Illi-  
 50 nois, and at the relation of the Attorney General, to proceed against such corpo-  
 51 ration for the recovery of a penalty of fifty dollars for each day after such re-  
 52 fusal to make oath, or failure to make said oath, within the thirty days from the  
 53 mailing of said notice. Or the Attorney General may, by any proper proceedings  
 54 in a court of law or chancery, proceed upon such failure or refusal to forfeit such  
 55 charter of such incorporated company or association incorporated under the gen-  
 56 eral laws or by any special law of this State and to revoke the rights of any for-  
 57 eign corporation located herein to do business in this State:

58 *Provided, however,* That before any such suit or proceeding as contemplated  
 59 by this Act shall be instituted against any person, persons, copartnerships or cor-  
 60 porations failing to file such affidavit within said thirty days from the mailing of  
 61 such notice from the Secretary of State, as aforesaid, it shall be the duty of the  
 62 State's Attorney of the county where such person, copartnership, or corporation  
 63 is located, to give such person, copartnership, or corporation ten days' notice, in  
 64 writing, of the intention to institute such suit or proceeding; and *Provided, fur-*  
 65 *ther,* that if such person, copartnership or corporation shall then within such  
 66 period of ten days make and file such affidavit in the office of the Secretary of  
 67 State, no penalty shall attach and no suit or proceeding shall be instituted against  
 68 such person, copartnership, or corporation.



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- 1 Introduced by Mr. Hearn, January 22, 1907.
  - 2 Read first time, ordered printed and referred to Committee on Corporations.

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## A BILL

For an Act defining and regulating express companies operating within the State of Illinois, declaring them to be common carriers and placing them under the jurisdiction and control of the Illinois Railroad and Warehouse Commission, and for other purposes.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* That all, and each and every person or  
3 persons, firms, organizations or corporations engaged in transporting merchan-  
4 dise, property, parcels, packages, money and other things between points wholly  
5 within the State of Illinois and known as or engaged in the business of express  
6 companies or carriers by express, shall be deemed and are hereby declared to be  
7 common carriers, and as such shall, from and after the passage of this Act, be  
8 placed under the supervision and control of the Illinois Railroad and Warehouse  
9 Commission in the same manner as provided by existing statutes governing rail-  
10 roads operating wholly within the State of Illinois.



Sec. 2. The Railroad and Warehouse Commission of the State of Illinois  
2 (hereinafter called the Commission) shall have power and it shall be its duty, to  
3 fix and establish reasonable, fair and just rates of charges for each kind or class  
4 of property, money, parcels, merchandise, packages and other things to be  
5 charged for and received by each express company or carriers by express sepa-  
6 rately or conjointly, on all such property, money, parcels, merchandise, pack-  
7 ages and other things which, by the contract of carriage, are to be transported sep-  
8 arately or conjointly by such express companies or carriers by express, doing  
9 business over the line of any railroad or other carrier between points wholly  
10 within the State of Illinois, which rates or charges may be made to apply to all  
11 such express companies or express carriers, and may be changed or modified by  
12 said Commission from time to time in such manner as may become necessary.  
13 Said Commission shall have the same power to make and prescribe such rates,  
14 classifications, rules and regulations for the government and control of such ex-  
15 press companies or carriers by express as is, or may be conferred upon said Com-  
16 mission for the regulation of railroads.

Sec. 3. It shall be the duty of each and every person or persons, firms, or  
2 ganizations or corporations engaged in transporting property, money, parcels,  
3 merchandise, packages and other things, between points wholly within the State  
4 of Illinois and known as or engaged in the business of express companies, to print  
5 in clear and legible type the schedules of rates for transportation of such prop-  
6 erty, money, parcels, merchandise, packages and other things from any point to  
7 another point on its own line, or when in connection with any other express com-  
8 pany to any point wholly within the State of Illinois when a joint rate has been  
9 established, and naming all such points in such schedule, and shall post in each  
10 of its offices or places of business where patrons visit for the purpose of making

and receiving shipments, and keep displayed in each office or place of business, within convenient access and for the inspection and use of the public during customary business hours, such printed schedule of rates of charges and any amendments thereto, and shall also post and display in similar manner any special rules and regulations which may be promulgated by them or said Commission, for the information of shippers and the government of shippers: *Provided, however,* that no change in said schedule of rates or charges shall become effective until they have been filed with and are approved by said Commission, and until after five days shall have elapsed between the dates of filing and the time when such rates shall become effective if the rates are to be reduced, and ten days if the rates are to be advanced.

Nor shall such common carrier charge, demand, collect, or receive a greater or less or a different compensation for such transportation of property or for any service in connection therewith, between the points named in such schedules, than the rates and charges which are specified in the schedules filed and in effect at the time, nor shall such common carrier refund or remit in any manner or by any device any portion of the rate so specified nor extend to any shipper any privileges or facility in receiving, storing, handling or forwarding of property, except as specified in such schedules. Any carrier, any officer, representative or agent of a carrier who knowingly violates the provisions of the foregoing paragraph shall forfeit to the State of Illinois the sum of five hundred dollars for each offense. Every distinct violation shall be a separate offense. The forfeitures herein imposed shall be recovered by the Commission in the manner provided by law.

Sec. 4. Each and every person or persons, firms, organizations or corporations engaged in the business of transporting or carrying property, money, par-

3 cels, merchandise, packages and other things, wholly within the State of Illinois  
4 and known as express companies or carriers of express, shall file with the Com-  
5 mission certified copies of all contracts or agreements now existing or hereafter  
6 entered into by or between themselves and any other express company, or with  
7 any railroad company operating within the State of Illinois, and shall also file  
8 with said Commission printed copies of all schedules and charges, tariffs, classifica-  
9 tions, rules and regulations, together with any changes or amendments thereto  
10 that may be promulgated from time to time for the government of shippers and  
11 articles above described, and also all changes in said schedules, tariffs, classifica-  
12 tions, regulations and rules as prescribed and defined in Section 3 of this Act.

13 And it shall be the duty of the Commission to take cognizance of all said con-  
14 tracts, agreements, schedules, tariffs, rates, classifications, rules and regulations  
15 and in the event of any of the terms or conditions contained in them or either of  
16 them are injurious to or inconsistent with the public welfare or work to the detri-  
17 ment of the public, communities, or individuals, to cause the same to be immedi-  
18 ately changed, amended, abrogated or annulled as may be deemed proper by  
19 said Commission after full and sufficient hearing has been given the parties so  
20 complained of or accused. The express company or carrier affected shall be  
21 forthwith notified and a full hearing of the case had, as in other proceedings be-  
22 fore the Commission, and all carriers interested may be made parties. If the  
23 Commission is of the opinion after such hearing and investigation that the rates  
24 and charges as filed and published, or the privileges, facilities and regulations  
25 published in connection therewith are unreasonable or otherwise in violation  
26 of law, it shall determine what are and will be reasonable and shall prescribe  
27 same, and shall order the carrier or carriers to file, and publish on or before a  
28 certain day, to take effect on a certain day, schedules in accordance with the de-  
29 cision of the Commission,



Sec. 5. In the event any shipper or shippers' organization located within the State of Illinois shall file complaint with said Commission, wherein it is charged that any or either of such express companies or carriers by express are charging, demanding, or receiving rates or prices for the transportation of property as described in this Act, that are injurious to or discriminating against any shipper or community located wholly within the State of Illinois, it shall be the duty of said Commission to immediately furnish such accused carrier with a copy of the complaint so filed against it or them, and to set a date, as early as practicable, for a hearing of all parties in interest and to require attendance of each party at such time and place as may be determined upon by said Commission. Said Commission shall then proceed to hear the complaint under such rules of practice as may be provided for in such cases by said Commission. After a full hearing during which each party shall be entitled to be heard, said Commission shall render its decision which shall at once become binding alike upon all parties in interest unless and until such decision is suspended, amended, abrogated or annulled by the courts on an appeal being taken from such decision by either party to a court of competent jurisdiction within this State. Notice of such appeal to be filed with said Commission within fifteen days after its decision has been rendered.

At such hearing or hearings before the Commission, copies of contracts, agreements, tariffs, classifications, schedules, rules and regulations that may have been filed by express companies, or either of them, shall be considered *prima facie* what they purport to be in evidence or matters that may pertain to them or either of them. In event the decision of the Commission require refunding of charges or payment of damages on the part of any said express companies to the complainant shipper or shippers' organization which may represent a shipper or

27 shippers, at the request of such shipper or shippers, if located wholly within the  
28 State of Illinois, said express companies shall within twenty days make payment  
29 or reclamation to such injured party, and if not done, or an appeal being taken  
30 to the courts in the meantime, they may be subjected to the penalties prescribed  
31 in this Act under Section 7.

Sec. 6. If an appeal is taken from the decision of the Commission to a court  
2 of competent jurisdiction within this State, upon filing petition the clerk of such  
3 court wherein the petition for appeal is filed, shall at once notify the Commission  
4 that such petition has been filed, and the Commission shall thereupon, within  
5 twenty days from the receipt of such notice, cause to be filed in such court a com-  
6 plete copy of all proceedings had before it in such cause, which shall include the  
7 pleadings, the testimony and exhibits, together with the report and opinion of the  
8 Commission and its orders in the premises. If it is impracticable to send up a  
9 copy of any exhibit, the exhibit itself may be forwarded.

10 If either party desires to take additional testimony for use in the court he  
11 may apply to such court, and if the court is of the opinion that such testimony  
12 is material to the disposition of the case and either could not have been or, under  
13 all the circumstances, ought not to have been taken before the Commission, it  
14 may instruct the Commission to take and send up further testimony, and there-  
15 upon such testimony shall be taken before said Commission and duly certified to  
16 said court.

17 The case as certified from the Commission, together with any additional tes-  
18 timony taken as above, shall be the record upon which it shall be heard by the  
19 court. If the court, upon such record, is of the opinion that the order of the Com-  
20 mission was not lawful, just and reasonable one, it shall vacate the order, other-  
21 wise it shall dismiss the proceedings in review. In either case it shall file with its



22 decision a statement of the reasons upon which that decision proceeds, which  
 23 shall be certified to the Commission. If the order is vacated the Commission may  
 24 proceed to reopen the case for further hearing or to dispose of it by the making  
 25 of a new order upon the then record, and for any subsequent order there shall be  
 26 the same right of review. Upon filing of a petition for review the court may,  
 27 upon such notice to the Commission, as the court deems proper, extend the time  
 28 within which such order or findings of the Commission shall take effect, not to ex-  
 29 ceed forty days from the date of service upon the carrier.

30 The court may also, if upon an inspection of the record it plainly appears  
 31 that the order proceeds upon some error of law, or is unjust and unreasonable on  
 32 the facts, and not otherwise, suspend the operation of the order during the pen-  
 33 dency of the proceedings in review, or until further order of the court.

34 Either party may appeal from the judgment of the court in the same man-  
 35 ner that an appeal is taken in equity causes.

36 The copies of schedules and tariffs, of rates and charges, and of all contracts,  
 37 agreements or arrangements between such common carriers filed with the Com-  
 38 mission as herein provided, as required by the provisions of this Act, shall be  
 39 preserved as public records in the custody of the Commission and shall be re-  
 40 ceived as *prima facie* what they purport to be for the purpose of investigation  
 41 by the Commission and in all judicial proceedings, and copies of, or extracts  
 42 from, any of said schedules, tariffs, contracts, agreements, classifications, or ar-  
 43 rangements, as aforesaid, certified by the Secretary of the Commission under its  
 44 seal, shall be receivable in evidence with like effect as the original.

Sec. 7. Each and every express company or carrier by express as herein  
 2 defined, doing business within the State of Illinois, shall at all convenient times

3 during the hours of business accept and receive for prompt transportation and  
 4 shipment destined to points on their own line, or to points on the lines of other  
 5 express companies operating within the State of Illinois, or for points beyond a  
 6 said state, all property, parcels, money, merchandise, packages and other things  
 7 of value which may be offered to them, or either of them, for transportation by  
 8 the public: *Provided*, That the payment of charges may be demanded and re-  
 9 ceived in advance of such forwarding or transportation, not in excess of the rates  
 10 and tariffs herein provided for in this Act, and if the destination is to points  
 11 beyond the State of Illinois, at a rate not in excess of that which is prescribed and  
 12 adopted by said company and its connections and shown by printed tariff of rates.  
 13 *Provided, however*, That no article which may be declared under such schedules,  
 14 tariffs, rules or regulations, as being of excess bulk or weight, or a menace to  
 15 health or the safety of the public, or otherwise prohibited by law, shall be re-  
 16 quired to be accepted by said express companies.

17 Any express company or other common carrier refusing to transport goods,  
 18 as above provided, taking the same in the order presented, shall be liable to the  
 19 party injured for damages sustained by reason of its refusal, and shall also be lia-  
 20 ble to a penalty of not less than five nor more than five hundred dollars, to be re-  
 21 covered in each case by the owner of the goods, in any court having jurisdiction  
 22 in the county where the wrong is done, or where the common carrier resides or  
 23 has its agent. And each case of refusal shall be construed as a separate offense  
 24 under this Act.

Sec. 8. Every express company or carrier by express, as defined in this Act,  
 2 doing business in the State of Illinois, which shall charge, demand, collect or re-  
 3 ceive a greater compensation than that which may be prescribed and fixed by said  
 4 Commission for the transportation of any kind or class of property as described

5 in this Act, shall be deemed guilty of extortion and shall forfeit and pay to the  
 6 State of Illinois a sum not to exceed five hundred dollars for each offense: *Pro-*  
 7 *vided*, That if it shall appear that such violation was not wilful, said company or  
 8 carrier shall have ten days in which to refund such overcharge or damage to the  
 9 injured party, and if such refund is made the penalty shall not be incurred.

10 And said Commission shall have authority, and it shall be its duty, to sue for  
 11 and recover the same in the same manner as may be provided by law for like suits  
 12 against railroad companies.

Sec. 9. Express companies and other common carriers are required, when  
 2 they receive goods for transportation, to give to the shipper, when it is demand-  
 3 ed, a bill of lading, receipt, or other memorandum in writing, stating the quantity,  
 4 character, order and condition of the goods and such goods shall be delivered, in  
 5 the manner provided by common law, in like order and condition to the consignee,  
 6 the unavoidable wear and tear and deterioration in due course of transportation  
 7 only excepted, and in case such common carrier shall fail to deliver goods as  
 8 above required, they shall be liable to the party injured for his damages, as at com-  
 9 mon law, and in case of their refusal to execute and deliver a bill of lading, receipt,  
 10 or other memorandum in writing, as above required, they shall be liable to a pen-  
 11 alty of not less than five nor more than five hundred dollars, to be recovered as  
 12 provided for in Section seven of this Act. And any and all common carriers doing  
 13 business in the State of Illinois are hereby prohibited from including in such bills  
 14 of lading or receipt for goods any restriction or evasion of the common law lia-  
 15 bility of such carrier.

Sec. 10. The said Commission shall have authority, and it shall be its duty,  
 2 to call upon such express companies or carriers by express, for reports, and in-

3 vestigate their books in the same manner as may be provided by law for the reg-  
4 ulation of railroad companies, and the said Commission shall have power and au-  
5 thority to institute suits, sue out such writs and processes as may be applicable  
6 and authorized by law for the regulation of railroad companies. All laws, rules  
7 and regulations made and prescribed for the government of railroads, in so far  
8 as they are applicable, shall be of equal force against all express companies or car-  
9 riers by express in this State.

Sec. 11. This Act shall be in effect from and after the date of its passage.

Sec. 12. All acts or parts thereof in conflict with this Act are hereby re-  
2 pealed.



Amendments to House Bill No. 48, adopted by the House May 7, 1907.

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## AMENDMENT NO. 1.

Amend House Bill No. 48 by adding to Section 7 after the word "act," in the 24th line of the printed bill, the following: "*Provided*, That nothing herein contained shall be construed as requiring any express company or express carrier to accept and forward from an initial common point of shipment, reached by the lines of two or more express companies or express carriers, shipments destined to points reached exclusively by another express company or express carrier established and having representation at such common point of shipment."

## AMENDMENT NO. 2.

Amend House Bill No. 48 by substituting the following for the first twenty-one lines of Section 3 of the printed bill:

"Sec. 3. It shall be the duty of each and every person or persons, firms,  
2 organizations or corporations engaged in transporting property, money, par-  
3 cels, merchandise, packages and other things, between points wholly within the  
4 State of Illinois and known as or engaged in the business of express companies,  
5 to provide its agents at each of its offices in the State of Illinois, schedules of



6 rates for transportation of such property, money, parcels, merchandise, pack-  
 7 ages, and other things from any point to another point on its own line, or when  
 8 in connection with any other express company to any point wholly within the  
 9 State of Illinois when a joint rate has been established, and naming all such  
 10 points in such schedule. Such schedule of rates shall be kept in volume form or  
 11 in loose sheet tariff binders especially adapted for filing in an orderly manner  
 12 such schedules; and in the same volume or binder shall also be filed any regula-  
 13 tions concerning such schedules of rates as may have been promulgated by said  
 14 commission for the information and government of shippers.

15 And said express companies or express carriers shall cause to be printed in  
 16 clear and legible type, and cause to be posted in two conspicuous places in each  
 17 of its offices where express matter is received for transportation, a placard read-  
 18 ing as follows:

19 “The tariffs of this company between its offices, and all regulations thereto  
 20 promulgated by the Railroad and Warehouse Commission of the State of Illinois  
 21 are subject to the inspection of shippers, and can be seen upon application to the  
 22 agent, who will aid shippers in obtaining desired information concerning the  
 23 same.”

24 No change in said schedule of rates filed with the said commission shall be-  
 25 come effective until they have been filed with and are approved by said commis-  
 26 sion, and until after five days shall have elapsed between the dates of filing and  
 27 the time when such rates shall become effective if the rates are to be reduced,  
 28 and ten days if the rates are to be advanced: *Provided, however,* that the com-  
 29 mission may, in its discretion, and for good cause shown, allow changes upon  
 30 less than the notice herein specified.

Introduced by Mr. Kerrick, January 22, 1907.

Read first time, ordered printed and referred to Committee on Judiciary.

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## A BILL

For an act to extend the jurisdiction of probate courts and county courts having probate jurisdiction so as to include the complete administration of testate estates.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That original jurisdiction is hereby con-  
3 ferred upon probate courts and county courts in counties where no probate  
4 courts are now, or may hereafter be established according to law to supervise and  
5 control all testamentary trusts created by original wills of deceased persons  
6 proved and admitted to probate in such court. The jurisdiction hereby confer-  
7 red shall include the appointments and removals of trustees, the issuing of let-  
8 ters of trusteeship to such trustees, the fixing and approving of their bonds and  
9 the settlement of their accounts; and in regard thereto said court shall have and  
10 exercise full chancery powers.

Sec. 2. The practice in such matters of testamentary trusts in probate or  
2 county courts as herein provided shall be as nearly as may be analagous to that

3 now existing in the probate and settlement of testate estates. The court shall have  
 4 power in a summary manner to require the filing of accounts of testamentary  
 5 trustees and to enforce all orders in relation thereto by citation or attachment in  
 6 the same manner as is now provided by law in case of executors and administra-  
 7 tors.

Sec. 3. The supervision and control of testamentary trusts vested by this  
 2 Act in probate courts and county courts in counties where no probate courts are  
 3 now, or may hereafter be established according to law, shall extend to and in-  
 4 clude the power in such courts to order the sale of the real estate to which any  
 5 testator had claim or title, or such part thereof as may be necessary, for the  
 6 payment of legacies or other charges made thereon by the testator, and in cases  
 7 where the court shall find it necessary or expedient for the complete execution of  
 8 the will of the testator and the equitable distribution of his estate in accordance  
 9 therewith, that such real estate or part thereof be sold. In the exercise of this  
 10 power such courts shall proceed, as near as may be, in conformity with the pro-  
 11 cedure established by law for the sale of real estate to pay debts in court hav-  
 12 ing probate jurisdiction.

Sec. 4. All such sales of real estate shall be made, and conveyances exe-  
 2 cuted for the same by the executor, administrator with the will annexed, or testa-  
 3 mentary trustee applying for such order, and shall be valid and effectual  
 4 against the heirs and devisees of such testator, and all other persons claiming by,  
 5 through or under him or them. In case of the death of the executor, administra-  
 6 tor with the will annexed or testamentary trustee applying for an order of sale  
 7 before conveyance is made, his successor shall proceed in the premises and make  
 8 conveyance in the same manner as if he had originally applied for such order,  
 9 which conveyances shall be good and valid.

Sec. 5. The clerks of probate and county courts having probate jurisdiction

2 shall be entitled to take fees as are now, or hereafter may be authorized by law  
3 for like service in the matter of the estates of deceased persons, but no docket  
4 fee shall be charged against any estate so held in trust where the original estate  
5 when probated was charged and paid a docket fee as provided by law.

Sec. 6. Nothing in the Act contained shall be construed as repealing any of

2 the provisions of an act entitled "An Act concerning land titles," approved and  
3 in force May 1, 1897, nor any of the provisions of an act entitled "An Act to  
4 amend sections seven (7) and eighteen (18) of an act entitled 'An Act concerning  
5 land titles, approved and in force May 1, 1897,' approved May 18, 1903, and in  
6 force July 1, 1903."





- 
- 1 Introduced by Mr. Lantz, January 22, 1907.
  - 2 Read first time, ordered printed and referred to Committee on Judicial Department and Practice.

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## A BILL

For an act entitled “An Act to amend section sixty of an act in regard to the administration of estates, approved April 1, 1872, in force July 1, 1872.”

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That section sixty of an act in regard to  
3 the administration of estates, approved April 1, 1872, in force July 1, 1872, is  
4 hereby amended so as to read as follows:

Sec. 60. Every administrator or executor shall fix upon a term of the court  
2 within six months from the time of his being qualified as such administrator or  
3 executor, for the adjustment of all claims against such decedent, and shall pub-  
4 lish a notice thereof for three successive weeks in some public newspaper pub-  
5 lished in the county, or if no newspaper is published in the county, then by put-

6   ting up a written or printed notice on the door of the court house, and in five  
7   other of the most public places in the county, notifying and requesting all per-  
8   sons having claims against such estate, to attend at said term of court for the pur-  
9   pose of having the same adjusted, (the first publication of said notice to be given  
10   at least six weeks previous to said term), when and where such claimant shall  
11   produce his claim in writing; and if no objection is made to said claim, by the  
12   executor, administrator, widow, heirs, or others interested in said estate, and  
13   the claimant swears, that such claim is just and unpaid, after allowing all just  
14   credits, the court may allow such claim without further evidence, but if objection  
15   is made to such claim the same shall not be allowed without other sufficient evi-  
16   dence. The court may allow either party further time to produce evidence in his  
17   favor, and the case shall be tried and determined as other suits at law. Either party  
18   may demand a jury of either six or twelve men to try the issue, and it shall be the  
19   duty of the county clerk, when a jury is demanded, to issue a *venire* to the sheriff  
20   of the county to summon a jury, to be composed of the number demanded.

- 
- 1 Introduced by Mr. Lindly, January 22, 1907.
- 2 Read first time, ordered printed and referred to Committee on County and  
Township Organization.
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## A BILL

For an act to provide for the burial of deceased indigent or friendless sailors or marines of the War of the Rebellion, the Spanish-American War, the Philippine Insurrection, and the Boxer Uprising in China.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That it shall be the duty of the Board of  
3 Supervisors in counties under township organization, and of the County Commissioners in counties not under township organization, to designate some  
4 suitable person or persons who shall serve without compensation, whose duty it  
5 shall be to cause to be properly interred the body of any honorably discharged  
6 soldier, sailor or marine, who served in the army or navy of the United States  
7 during the War of the Rebellion, the Spanish-American war, the Philippine Insurrection, or the Boxer Uprising in China, who may hereafter die in such county,  
8  
9  
10 without having sufficient means to defray the funeral expenses.

Sec. 2. The expense of such burial shall not exceed the sum of thirty-five  
 2 dollars, such burial shall not be made in any cemetery, or burial ground, used ex-  
 3 clusively for the burial of the pauper dead, or in that portion of any burial  
 4 ground so used: *And, provided*, That in case relatives of the deceased, who are  
 5 unable to bear the expense of burial, desire to conduct the funeral, they may be  
 6 allowed to do so, and the expense thereof shall be paid, as hereinafter provided.

Sec. 3. The expenses of such burial and headstone shall be paid by the  
 2 county in which such soldier, sailor or marine resided at the time of his death;  
 3 and the Board of Supervisors in such counties under township organization,  
 4 or County Commissioners in such counties not under township organizations, is  
 5 authorized and directed to audit the account, and pay the said expenses in a  
 6 similar manner as other accounts against such county are audited and paid: *Pro-*  
 7 *vided*, that nothing in this Act contained shall apply to the burial of soldiers and  
 8 sailors who are inmates of the Soldiers' and Sailors' Home at the time of their  
 9 death.

Sec. 4. An act entitled "An Act to provide for the burial of deceased indi-  
 2 gent or friendless Union soldiers, sailors or marines of the late war," approved  
 3 June 16, 1891, in force July 1, 1891, is hereby repealed.

AMENDMENT TO

45th Assem.

HOUSE—No. 51

Apr. 1907

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Amendment to House Bill No. 51, adopted by the House April 5, 1907.

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Amend House Bill No. 51, by striking out in line 8, section 1, of said bill, the words "War of the Rebellion" and inserting in lieu thereof, the words "War between States."





- 1 Introduced by Mr. McLaughlin, January 22, 1907.
- 2 Read first time, ordered printed and referred to Committee on Judicial Department and Practice.

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## A BILL

For an act entitled “An Act to authorize city judges, county judges, superior judges and circuit judges to interchange, hold court for each other, and perform each other’s duties.”

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SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* That the judges of the several city courts,

3 county courts, superior courts and circuit courts of this State may interchange

4 with each other, and may hold court for each other, and perform each other’s du-

5 ties, in their own or any other county, city or circuit, when they find it necessary

6 or convenient.



- 1 Introduced by Mr. McRoberts, January 22, 1907.
- 2 Read first time, ordered printed and referred to Committee on Judicial Department and Practice.

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## A BILL

For an act to amend section six (6) of an act entitled “An Act to regulate the treatment and control of dependent, neglected and delinquent children,” approved April 21, 1899, in force July 1, 1899, and as amended by an act approved May 13, 1905, in force July 1, 1905.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That section six (6) of an act entitled “An  
3 Act to regulate the treatment and control of dependent, neglected and delinquent  
4 children,” approved April 21, 1899, in force July 1, 1899, and as amended by an  
5 act approved May 13, 1905, and in force July 1, 1905, be and the same is hereby  
6 amended so as to read as follows:

Sec. 6. PROBATION OFFICERS—The court shall have authority to appoint or  
2 designate one or more discreet persons of good character to serve as probation

3 officers during the pleasure of the court; said probation officers to receive no  
4 compensation from the public treasury. In case a probation officer shall be ap-  
5 pointed by any court it shall be the duty of the clerk of the court, if practicable,  
6 to notify the said probation officer in advance when any child is to be brought be-  
7 fore the court; it shall be the duty of said probation officer to make such investi-  
8 gation as may be required by the court; to be present in court in order to repre-  
9 sent the interest of the child when the case is heard; to furnish to the court such  
10 information and assistance as the judge may require; and to take such charge of  
11 any child before and after trial as may be directed by the court: *Provided, how-*  
12 *ever,* that in counties having over five hundred thousand population, the judges  
13 of the circuit court, by rule to be entered of record, shall determine a number of  
14 probation officers including one head probation officer, to be employed during each  
15 year, who shall be paid a suitable compensation for their services. The head pro-  
16 bation officer shall have charge and control of all other probation officers, subject  
17 to the direction of the court. The judges of said court shall notify the president  
18 of the board of county commissioners or supervisors of said county, as the case  
19 may be, of the number of said probation officers so determined, who are to be  
20 paid as herein provided, and said probation officers, including the head probation  
21 officer, as aforesaid, shall be appointed in the same manner and under the same  
22 rules and regulations as other officers or employes in the said county under the  
23 board of commissioners or supervisors of the county, as the case may be, and  
24 shall be paid a suitable compensation by the county for their services, the  
25 amount thereof to be determined by such board of commissioners or supervisors  
26 as the case may be: *Provided, further,* that in counties having a population of sev-  
27 enty thousand (70,000) and over, and less than five hundred thousand (500,000),  
28 the county judge of any such county shall have the authority to designate some



29 suitable person to act as probation officer, during the pleasure of the court, and  
30 such probation officer shall be paid a suitable compensation for his services, such  
31 compensation to be fixed by the board of county commissioners, or board of su-  
32 pervisors of such county, as the case may be, such compensation to be paid out of  
33 the county treasury of such county, monthly, upon certification by the county  
34 judge of such county. Such board of county commissioners or board of super-  
35 visors of such counties may, if they deem it necessary or advisable, upon  
36 recommendation of the county judge, provide for the employment of additional  
37 probation officers, and shall have like authority to fix their compensation, and if  
38 such additional probation officers are authorized, as aforesaid, the same shall  
39 be appointed by the county judge of such county, and be paid out of the county  
40 treasury, monthly, upon proper certification by such county judge. Such proba-  
41 tion officers shall have the same powers and perform the same duties as other  
42 probation officers under the provisions of this Act. Nothing herein contained,  
43 however, shall be held to limit or abridge the power of the judge or judges so  
44 designated under section 3 of this Act to hear cases coming under this Act, to  
45 appoint persons or probation officers, whom said judge or judges may see fit, and  
46 who shall serve without pay for such services as probation officers.



AMENDMENTS TO

45th Assem.

House Bill No. 53

Feb. 1907

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AMENDMENTS TO HOUSE BILL NO. 53.

Adopted by the House, February 14, 1907.

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Amend House Bill No. 53 by striking out in lines 26 and 27 of the printed bill, after the word "of" the words and figures to the word "less" in line 27.



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- 1 Introduced by Mr. McRoberts, January 22, 1907.
  - 2 Read first time, ordered printed and referred to Committee on County and Town-  
ship Organization.

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## A BILL

For an act to amend section two (2) of an act entitled "An Act for the relief of the blind," approved May 11, 1903, in force July 1, 1903.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That section two (2) of an act entitled  
3 "An Act for the relief of the blind," approved May 11, 1903, in force July 1,  
4 1903, be and the same is hereby amended so as hereafter to read as follows:

Sec. 2. That all male persons over the age of twenty-one (21) years, and  
2 all female persons over the age of eighteen (18) years, who are declared to be  
3 blind in the manner hereinafter set forth, and who come within the provisions  
4 of this Act, shall receive as a benefit one hundred and fifty dollars (\$150.00)  
5 per annum, payable quarterly upon warrants properly drawn upon the  
6 treasurer of the county of which such person, or persons, are residents.





- 1 Introduced by Mr. Pierson, January 22, 1907.
- 2 Read first time, ordered printed and referred to Committee on Judiciary.

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## A BILL

For an act to amend an act entitled “An Act to amend section two hundred and thirty-seven (237) of division one (1) of an act entitled ‘An Act to revise the law in relation to criminal jurisprudence,’ approved March 27, 1874, as amended by an act entitled “An Act to amend section two hundred and thirty-seven (237) of division one (1) of an act entitled “An Act to revise the law in relation to criminal jurisprudence, approved March 27, 1874, in force July 1, 1874,” amended by act approved June 9, 1887, in force July 1, 1887, approved April 7, 1905, in force July 1, 1905.”

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That section two hundred and thirty-seven  
3 (237) of division one (1) of an act entitled “An Act to revise the law in relation  
4 to criminal jurisprudence,” approved March 27, 1874, as amended by an act en-  
5 titled ‘An Act to amend section two hundred and thirty-seven (237) of division one

6 (1) of an act entitled "An Act to revise the law in relation to criminal jurispru-  
 7 dence," approved March 27, 1874, in force July 1, 1874, as amended by act ap-  
 8 proved June 9, 1887, in force July 1, 1887, approved April 7, 1905, in force July  
 9 1, 1905, be and the same is amended to read as follows:

Sec. 237. Rape is the carnal knowledge of a female, forcibly and against  
 2 her will. Every male person of the age of seventeen years and upwards who  
 3 shall have carnal knowledge of any female person under the age of sixteen  
 4 years and not his wife, either with or without her consent, shall be adjudged  
 5 to be guilty of the crime of rape: *Provided*, that in case the said parties  
 6 shall be legally married to each other before conviction, any legal proceed-  
 7 ings shall abate: *And, provided*, That every male person of the age of  
 8 *fourteen* years and upwards who shall have carnal knowledge of a female forc-  
 9 bly and against her will shall be guilty of the crime of rape. Every person  
 10 convicted of the crime of rape shall be imprisoned in the penitentiary for a  
 11 term of not less than one year, and *such term* may extend to life.

Introduced by Mr. Reynolds, January 22, 1907.

Read first time, ordered printed and referred to Committee on Fees and Salaries.

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## A BILL

For an act to amend Section 3 of an act entitled, "An act concerning Fees and Salaries and to classify the several counties of this State with reference thereto." Approved March 29, 1872; in force July 1, 1872. Title as amended by an Act approved March 28, 1874; in force July 1, 1874.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*  
2 *General Assembly:* That Section 3 of an Act entitled "An act concerning Fees  
3 and Salaries, and to classify the several counties of this State with reference there-  
4 to," approved March 29, 1872; in force July 1, 1872, title as amended by an  
5 act approved March 29, 1874; in force July 1, 1874, be, and the same is hereby  
6 amended to read as follows:

Sec. 3. That each judge of the Circuit Courts of this State, and each judge of  
2 the Superior Court of Cook County, who shall be elected on or after the first Mon-  
3 day of June, A. D. 1909, shall receive and be paid out of the State Treasury of  
4 this State, an annual salary of Five Thousand Dollars (\$5.000), in lieu of all

5 other compensation, perquisite or benefit in any form whatever: *Provided*, That such  
6 provision shall not apply to any judge elected or appointed to serve an unexpired  
7 portion of a term which began prior to said first Monday of June, 1909; and *Pro-*  
8 *vided, further*, that the provisions of this Act shall not prevent the payment of such  
9 additional compensation to the judges of the Circuit and Superior Courts of Cook  
10 County out of the treasury of said County as is or may be provided by law.



Introduced by Mr. Reynolds, January 22, 1907.

Read first time, ordered printed and referred to Committee on Judiciary.

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## A BILL

or an act entitled "An Act to Amend Section 2 of an Act entitled 'An act in regard to Wills, Approved March 20, 1872,' in force July 1, 1872."

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*  
2 *General Assembly:* That Section 2 of an Act entitled "An Act in regard to Wills,  
3 approved March 20, 1872, in force July 1, 1872," be and the same is hereby  
4 amended as follows:

Sec. 2. All wills, testaments and codicils by which any lands, tenements, heredita-  
2 ments, annuities, rents or goods and chattels are devised, shall be reduced to writing  
3 and signed by the testator or testatrix or by some person in his or her presence  
4 and by his or her direction and attested in the presence of the testator or testatrix  
5 by two or more credible witnesses two of whom declaring on oath or affirmation  
6 before the County Court, of the proper County that they were present and saw the  
7 testator or testatrix sign said will, testament or codicil in their presence or

8 acknowledged the same to be his or her act and deed and that they believe the  
 9 testator or testatrix to be of sound mind and memory at the time of signing or  
 10 acknowledging the same, shall be sufficient proof of the execution of said will,  
 11 testament or codicil to admit the same to record: *Provided*, That it shall not be  
 12 necessary to have the testimony of such witnesses or either of them in order to  
 13 admit said will, testament or codicil to record, if the said testator or testatrix  
 14 shall have duly acknowledged such will, testament or codicil before some Notary Public  
 15 or other officer authorized to take acknowledgment of deeds: Said acknowledgment  
 16 stating that the said testator or testatrix duly signed and sealed said will, testa-  
 17 ment or codicil on the day therein named as and for his or her last will and testa-  
 18 ment: The same shall be *prima facie* proof of the due execution of said will, testa-  
 19 ment or codicil to admit the same to record: *And provided, further*, That no proof  
 20 of fraud, compulsion or other improper conduct be exhibited, which, in the opinion  
 21 of said County Court, shall be deemed sufficient to invalidate or destroy the same  
 22 and every will, testament or codicil, when thus proven to the satisfaction of the  
 23 Court, shall, together with the probate thereof, be recorded by the clerk of said  
 24 Court, in a book to be provided by him for that purpose, and shall be good and  
 25 available in law for the granting, conveying and assuring the lands, tenements and  
 26 hereditaments, annuities, rents, goods and chattels therein and thereby devised  
 27 granted and bequeathed.

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Introduced by Mr. Reynolds, Jan. 22, 1907.

Read first time, ordered printed and referred to Committee on Municipal Corporations.

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## A BILL

for an act to confer upon cities of more than thirty thousand inhabitants and less than one hundred thousand inhabitants in the State of Illinois the power and authority to sell surplus electricity and to fix the rates and charges for the supplying of gas and electricity for power, heating and lighting, furnished by an individual, company or corporation to such cities and inhabitants thereof.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*  
2 *General Assembly:* That upon the adoption of this Act in the manner hereinafter  
3 provided, any city in the State of Illinois, having more than thirty thousand inhabi-  
4 tants and less than one hundred thousand inhabitants, by the last federal census,  
5 shall have the power and authority to sell surplus electricity for heat, light and  
6 power within the corporate limits of said city, and is hereby empowered to pre-  
7 scribe by ordinance maximum rates and charges for the supply of gas and elec-  
8 tricity for power, heating and lighting furnished by any individual, company or  
9 corporation to such city and the inhabitants thereof. Such rates and charges to  
0 be just and reasonable and may be fixed for a period not exceeding five years and

11 in case the corporate authorities of any such city shall fix unjust or unreasonable  
 12 rates and charges, the same may be reviewed and determined by the Circuit Court  
 13 of the county in which said city is situated: *Provided*, That nothing in this Act  
 14 contained shall be construed as permitting such cities to sell electricity so long as  
 15 the same is needed for light, heat and power for municipal purposes.

Sec. 2. This Act shall not be in force until the question of its adoption shall  
 2 first have been submitted to the electors of the city desiring to adopt the same  
 3 and shall be approved by a majority of those voting thereon. The City Council of  
 4 such cities may direct by ordinance that the question of the adoption of this Act  
 5 by such cities be submitted to popular vote at any general, city or special election  
 6 in and for the entire city, coming not sooner than thirty days from and after the  
 7 passage of such ordinance. The City Council of such cities shall have power in such  
 8 ordinance to provide for a special election to be held not sooner than thirty days  
 9 after the passage of such ordinance for the submission of the adoption of this Act.  
 10 On the passage of such ordinance by the City Council of any such city it shall  
 11 thereupon be the duty of the election officials to submit the question of the adop-  
 12 tion of this Act by such cities to popular vote. The City Clerk of such cities shall  
 13 also give at least thirty days' notice thereof at least once in one or more newspa-  
 14 pers of general circulation within such city.

Sec. 3. The ballots to be used at such election shall be in the following form:

2 "For the adoption of an Act entitled 'An Act to confer upon the  
 3 city of (naming the city) power and authority to sell surplus elec-  
 4 tricity and to fix the rates and charges for the supply of gas or  
 5 electricity, and to fix the rates and charges for the supply of gas  
 6 and electricity for power, heat and lighting, furnished by any indi-  
 7 vidual, company or corporation to said city (naming the city) and  
 8 the inhabitants thereof.'"

YES

NO

9      If the majority of the votes cast upon said proposition at said election shall be  
10 voted for the adoption of this Act, it shall thereby and thereupon be adopted and  
11 be in force in such city.





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- 1 Introduced by Mr. Robinson, January 22, 1907.
  - 2 Read first time, ordered printed and referred to Committee on Education.

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## A BILL

For an act to authorize trustees of schools in any township in the several counties under township organization to contract for proper drainage of such school lands with the commissioners of any drainage district through which any such school lands may drain, and to use the income of such lands for such purpose, and for more thoroughly draining any such school lands.

---

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That the trustees of schools in any town-  
3 ship in the several counties under township organization in this State shall have  
4 the right, power and authority to contract with the commissioners of any drainage  
5 district heretofore organized or that may hereafter be organized, which may  
6 include any school lands within the boundaries of such drainage district, or  
7 which may adjoin any such school lands, for a sufficient outlet for any such  
8 school lands through the drainage of such district, and to use whatever of the  
9 rents from such school lands as may be necessary to obtain such outlet.

Sec. 2. That said trustees of schools shall also have the right, power and  
2 authority, whenever in their judgment it may be necessary, after securing such  
3 outlet as provided in section 1 of this Act, to use whatever of the rent received  
4 from such school land as may be necessary in properly and thoroughly  
5 draining any school lands.

Sec. 3. That said trustees of schools shall also have the right, power and  
2 authority to contract with such drainage commissioners from time to time for  
3 their proportionate share of keeping said outlet in proper repair and to use  
4 of the rent whatever may be needed for such repairs.

Sec. 4. This Act shall not be construed to repeal or interfere with any  
2 other law on the subject of drainage now in force in this State and its object  
3 being to secure proper drainage for all school lands in any township in the  
4 several counties under township organization in this State.

Sec. 5. WHEREAS, an emergency exists, therefore this Act shall take ef-  
2 fect and be in force from and after its passage.

Introduced by Mr. Shanahan by request, January 22, 1907.

Read first time, ordered printed and referred to Committee on Appropriations.

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## A BILL

For an act to provide for the ordinary and contingent expenses of the Illinois National Guard and Illinois Naval Reserve.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* That three hundred twenty-eight thous-  
3 and, nine hundred ninety-seven dollars and fifty cents (\$328,997.50) per annum,  
4 or so much thereof as may be necessary, is hereby appropriated to pay the or-  
5 dinary and contingent expenses of the Illinois National Guard and Illinois Naval  
6 Reserve.

7 Transportation, subsistence, camp pay, officers and men under orders. . \$123,600.00  
8 Horse hire and forage . . . . . 12,500.00  
9 Medical supplies, fuel for camp, coal for steaming Dorothea, tugs, na-  
0 val supplies, ship's chandlery, general expenses, engine room re-  
1 pairs and supplies . . . . . 7,500.00

12	Inspection of companies at home stations, boards of examiners, sur-	
13	vey and court martial.....	5,000.00
14	Lighting camp, laundering bedsacks and blankets, telephones, general	
15	repairs and incidentals.....	3,500.00
16	Target practice, ammunition, transportation, repairs and general ex-	
17	pense on rifle range .....	26,397.50
18	Civilian employees .....	10,000.00
19	Horses for drills .....	5,000.00
20	Armory rents, water, light, fuel, janitor service, incidental expenses	
21	necessary to maintenance of armories .....	130,000.00
22	Miscellaneous expenditures .....	5,500.00

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23 Total .....\$328,997.50

24 That the further sum of fifty thousand dollars (\$50,000) is hereby appro-

25 priated as an emergency fund to be used by the Governor in cases of emergency

26 when the Illinois National Guard or Illinois Naval Reserve are called into active

27 duty by the Governor to protect the life and property of the citizens of the State

28 No portion of said sum shall be expended or paid except upon the express order

29 of the Governor.

Sec. 2. The Auditor of Public Accounts is hereby authorized and directed

2 draw his warrant for the sum herein specified, upon the presentation of proper

3 vouchers, certified to by the Adjutant General and approved by the Governor,

4 and the Treasurer shall pay the same out of the money hereby appropriated.



Introduced by Mr. Shanahan by request, January 22, 1907.

Read first time, ordered printed and referred to Committee on County and Township Organization.

---

## A BILL

for an act to provide for the burial of deceased indigent or friendless Union soldiers, sailors or marines of the late Civil War, or their mothers, wives or widows.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an act of the General Assembly, in force July 1, 1891, entitled "An Act to provide for the burial of deceased indigent or friendless Union soldiers, sailors or marines of the late Civil War, approved June 16, 1891, in force July 1, 1891, be and the same is hereby amended to read as follows:

Sec. 1. It shall be the duty of the Board of Supervisors in counties under township organization, and of the county commissioners in counties not under county organization, to designate some suitable person or persons who shall serve without compensation, whose duty it shall be to cause to be properly in-

5 terred the body of any honorably discharged soldier, sailor or marine who  
 6 served in the army or navy of the United States during the late Civil War, or  
 7 his mother, wife or widow, who may hereafter die in any county without hav-  
 8 ing sufficient means to defray funeral expenses.

Sec. 2. The expense of such burial shall not, in any case, exceed the sum  
 2 of thirty-five dollars for such burial including suitable headstone; such burial  
 3 shall not be made in any cemetery or burial ground used exclusively for the  
 4 burial of the pauper dead, or in that portion of any burial ground so used:  
 5 *And Provided*, That in case relatives of the deceased who are unable to bear the  
 6 expense of such burial desire to conduct the funeral, they may be allowed to  
 7 do so, and the expense thereof shall be paid as herein provided.

Sec. 3. The expense of such burial or burials, together with a suitable  
 2 headstone, shall be paid by the county in which such soldier, sailor or marine,  
 3 or the mother, wife or widow of such soldier, sailor or marine resided at the  
 4 time of his or her death, and the board of supervisors of such county under  
 5 township organization, or county commissioners of such counties not under  
 6 township organization, are authorized and directed to audit the account and  
 7 pay the said expense in a similar manner as other accounts against such coun-  
 8 ty are audited and paid: *Provided*, that nothing in this Act shall apply to the  
 9 burial of soldiers, sailors or marines, or their mothers, wives or widows, who  
 10 are inmates of the Soldiers' and Sailors' Home, or the Soldiers' Widows' Home  
 11 of Illinois at the time of their death.

Introduced by Mr. Shanahan, January 22, 1907.

Read first time, ordered printed and referred to Committee on Municipal Corporations.

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## A BILL

for an act to amend section 2 of an act to revise the law in relation to mortgages of real and personal property, approved and in force March 26, 1874, as amended by act approved May 30, 1881, in force July 1, 1881.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 2 of an act to revise the law in relation to mortgages of real and personal property, approved and in force March 26, 1874, as amended by act approved May 30, 1881, in force July 1, 1881, be amended to read as follows:

Sec. 2. Such instruments shall be acknowledged before a justice of the peace or the county judge of the county where the mortgagor resides or before the clerk or any deputy clerk of any municipal court in such county, or if the mortgagor is not a resident of the State at the time of making the ac-

5 knowledge, then before any officer authorized by law to take acknowledgment  
 6 of deeds: *Provided, however,* That in counties having a population of more  
 7 than 200,000, such instrument, if the mortgagor is a resident of the State at  
 8 the time of making the acknowledgment, shall be acknowledged before a jus-  
 9 tice of the peace of the town or precinct where the mortgagor resides, or if  
 10 there be no justice of the peace in such town or precinct, such instrument shall  
 11 be acknowledged before the clerk or any deputy clerk of the municipal  
 12 court in the district in which the mortgagor or mortgagee resides, or  
 13 if there be no such clerk or deputy clerk, before the county judge of the  
 14 county, or the county clerk or any deputy clerk of the county court of the  
 15 county in which the mortgagor or mortgagee resides. The certificate of ac-  
 16 knowledge may be in the following form: This (name of the instrument  
 17 was acknowledged before me by (name of grantor) (when the acknowledgment  
 18 is made of a resident insert the words "and entered by me") this .....  
 19 day of ....., 19.....  
 20 Witness my hand and seal. (Name of officer.)  
 21 (Seal.) .....

Introduced by Mr. Templeman, January 22, 1907.

Read first time, ordered printed and referred to Committee on Judicial Department and Practice.

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## A BILL

for an act entitled "An Act to amend section one hundred and ten of an act to extend the jurisdiction of county courts, and to provide for the practice thereof, to fix the time for holding the same, and to repeal an act therein named, approved March 26, 1874, in force July 1, 1874."

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section one hundred and ten of an act to extend the jurisdiction of county courts, and to provide for the practice thereof, to fix the time for holding the same, and to repeal an act therein named, approved March 26, 1874, in force July 1, 1874, is hereby amended so as to read as follows:

Sec. 110. Unless the court shall otherwise order, the jury for the law terms of the county court shall be drawn and summoned in the same manner as is pro-



3 vided for the drawing and summoning juries for the terms of the circuit court  
 4 When a jury is not summoned as above provided, it shall be the duty of said  
 5 court, on the first day of each term thereof, or on the day to which said term  
 6 may have been adjourned, to call all the cases for trial on the docket, to ascertain  
 7 whether a jury will be required. If a jury shall be demanded by either party  
 8 to any suit pending, or by any defendant or the state's attorney in any criminal  
 9 suit, the court shall thereupon set such case or cases for trial, and direct the  
 10 clerk of said court to issue a *venire* for not less than twelve nor more than eighteen  
 11 competent jurors in the discretion of the court, unless the parties to such  
 12 suit or criminal proceeding shall elect to have the same tried by six jurors, and  
 13 deliver the same to the sheriff or coroner, who shall summon such jurors from  
 14 the body of the county to be and appear before said court at the term or time set  
 15 for the return of said *venire*; and if, by reason of non-attendance, challenge or  
 16 otherwise, said jury shall not be full, the panel may be filled by talesmen. Said  
 17 court shall have the same power to compel the attendance of jurors and witnesses  
 18 as the circuit court has, and shall be governed by the same rules in impaneling  
 19 the jury. Said court may retain such jury for all the jury trials of said term or  
 20 adjourned term. The per diem and mileage of said jurors shall be the same as  
 21 they are for similar services in the circuit court, to be paid out of the county  
 22 treasury upon the certificate of the county clerk: *Provided*, that in case the sheriff,  
 23 coroner or bailiff be interested in any jury case pending, or in case any party  
 24 interested, or any attorney, may object to any sheriff, coroner or bailiff selecting  
 25 the jury, if the court shall think such objection reasonable, the court shall appoint  
 26 an impartial bailiff to summon said jury.

1 Introduced by Mr. Ton. January 22, 1907.

2 Read first time, ordered printed and referred to Committee on Licenses.

## A BILL

For an act relating to private employment agencies and to repeal parts of a certain act relating thereto.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in*  
2 *the General Assembly:* That no person shall open, keep or carry on any em-  
3 ployment agency in the State of Illinois unless every such person shall procure a  
4 license therefor from the Commissioner of Licenses. Any person who shall open  
5 or conduct such an employment agency without first procuring such license shall  
6 be guilty of a misdemeanor and shall be punishable by a fine of not less than  
7 Fifty Dollars (\$50.) and not exceeding Two Hundred and Fifty Dollars (\$250.)  
8 or on failure to pay such fine, by imprisonment for a period not exceeding six  
9 months, or both, at the discretion of the court. Such license shall be granted upon  
0 the payment to said Commissioner of Licenses, annually, of a fee of Fifty Dollars  
1 (\$50.) in cities of fifty thousand (50,000) population and over and a fee of Twenty-  
2 Five Dollars (\$25.) annually, in all cities containing less than fifty thousand (50-  
3 000) population. Every license shall contain the name of the person licensed, a

14 designation of the city, street and number of the house in which the person licen-  
15 sed is authorized to carry on the said employment agency, and the number and  
16 date of such license. Such license shall not be valid to protect any other than the  
17 person to whom it is issued or any place other than that designated in the license  
18 unless consent is first obtained from the Superintendent of Licenses. The person  
19 to whom said license is assigned or transferred shall file with the Commissioner of  
20 Licenses a bond as required in Section 2. No such agency shall be located in  
21 rooms used for living purposes (excepting agencies for the employment of domes-  
22 ties and servants exclusively), or where boarders or lodgers are kept, or on premises  
23 where intoxicating liquors are sold, excepting cafes and restaurants in office build-  
24 ings. If said licensed person shall conduct a lodging house for the unemployed  
25 separate and apart from such agency, it shall be so designated in the license. The  
26 application for such license shall be filed with the Superintendent of Licenses not  
27 less than one week prior to the granting of said license and the Commissioner of  
28 Licenses shall act upon such application within thirty (30) days from the time of  
29 application. Such application shall be accompanied by the affidavits of two per-  
30 sons who have known the applicant or the chief officer thereof, of a corporation,  
31 for five years, stating that the said applicant is a person of good moral character.  
32 The license shall run for one year from the date thereof and no longer unless soon-  
33 er revoked by the Superintendent of Licenses.

Sec. 2. BOND—The Commissioner of Licenses shall require such person to file  
2 with his application for a license a bond in due form to the People of the State of  
3 Illinois for the penal sum of One Thousand Dollars (\$1,000.) with one or more  
4 sureties, to be approved by the said Commissioner of Licenses, and conditioned  
5 that the obligor will not violate any of the duties, terms, conditions, provisions  
6 or requirements of this Act. If any person shall be aggrieved by the misconduct of  
7 any such licensed person and shall recover judgment against him therefor, such

8 person may, after the return unsatisfied, either in whole or in part, of any execu-  
 9 tion issued upon said judgment, maintain an action in his own name upon the  
 10 bond of said employment agency in any court having jurisdiction of the amount  
 11 claimed provided such court shall, upon application made for the purpose, grant  
 12 such leave to prosecute.

Sec. 3. REGISTER. REFERENCES. AGENTS—It shall be the duty of every such  
 2 licensed person to keep a register, approved by the Commissioner of Licenses, in  
 3 which shall be entered, in the English language, the date of every application for  
 4 employment; name and address of the applicant to whom employment is offered or  
 5 promised; amount of the fee received, and whenever possible names and addresses  
 6 of former employers or persons to whom such applicant is known. Such licensed  
 7 person shall also enter in a separate register approved by the Commissioner of  
 8 Licenses, in the English language, the name and address of every applicant for  
 9 help, the date of such application, the kind of help requested, the names of the per-  
 10 sons sent, with the designation of the one employed, the amount of the fee received  
 11 and the rate of wages agreed upon. The aforesaid register of applicants for em-  
 12 ployment and for help shall be open during office hours to inspection by the Com-  
 13 missioner of Licenses or his duly qualified agents. No such licensed person, his  
 14 agents or employes shall make any false entry in such register. It shall be the duty  
 15 of every licensed person, whenever possible, to communicate orally or in writing with  
 16 at least one of the persons mentioned as references for every applicant for work in  
 17 private families, or employed in a fiduciary capacity, and the result of such investi-  
 18 gation shall be kept on file in such agency provided that if the applicant for help  
 19 voluntarily waives in writing such investigation or references by the licensed person,  
 20 failure on the part of the licensed person to make such investigation shall not be  
 21 deemed a violation of this Act. It shall be the duty of such licensed persons who  
 22 employ agents or solicitors to provide each of the said employes with a suitable



23 metal badge containing said licensed persons' name, address of such agency and  
 24 number of such license, and such person shall file with the Commissioner of Licenses  
 25 the name and address of each such employee, and shall also file with said Commis-  
 26 sioner of Licenses the name and address of each such employee and shall also file  
 27 with said Commissioner of Licenses the consent of their sureties to the employment  
 28 of such employees.

Sec. 4. FEES—RECEIPTS—No registration fee shall be received or charged for  
 2 receiving or filing applications for employment or help. No licensed person shall  
 3 accept any fee, whether in payment for a publication or in any other way, given  
 4 in connection with or as an aid in securing employment or help for an applicant.  
 5 No fees shall be accepted or received by such person before the applicant has ac-  
 6 cepted the position offered. The fees charged applicants for employment as lumber-  
 7 men, agricultural hands, coachmen, grooms, hostlers, seamstresses, cooks, waiters,  
 8 waitresses, scrub-woman, laundresses, maids, nurses (except professional) and all  
 9 domestics and servants, unskilled workers and general laborers, shall not in any  
 10 case exceed ten (10) per centum of the first month's wages, and for all other ap-  
 11 plicants for employment, shall not exceed one-half of the first week's wages or  
 12 salary, excepting where a contract or agreement is made for employment for six  
 13 months or over, then the fees charged shall not exceed five (5) per centum for  
 14 each month's salary, said amount to be paid in monthly installments, and not to  
 15 exceed twelve (12) such payments, and shall cease when the employment term-  
 16 inates. If an employee furnished to an applicant for help fails to remain one week  
 17 in the situation, a new employee shall be furnished or three-fifths (3-5) of the fee  
 18 returned, within four (4) days of demand, provided said applicant for help notifies  
 19 said licensed party within thirty (30) days of the failure of the applicant to accept  
 20 the position or of the applicant's discharge for cause. If the employee is discharged  
 21 within one week without said applicant's fault, another position shall be furnished  
 22 or three-fifths (3-5) of the fee returned to the applicant for employment if he so



elects. Failure of said applicant for help to notify said licensed person that such help has been obtained through means other than said agency, shall entitle said licensed person to retain or collect three-fifths (3.5) of the fee charged the employer. No such licensed person shall send out any applicant for employment without having obtained, either orally or in writing, a *home file* order therefor, and if it shall appear that no employment of the kind applied for existed at the place to which said applicant was directed, the said licensed party shall refund to such applicant within three days of demand any sums paid by said applicant for transportation in going to and returning from said place, and all fees paid by said applicant. It shall be the duty of such licensed person to give to every applicant for employment from whom a fee shall be received a receipt in which shall be stated, the name of such applicant, the date and amount of the fee, and the purpose for which it is paid, and to every applicant for help a receipt stating the name and address of said applicant, the date and amount of the fee, and the kind of help to be provided. Every such receipt shall have printed on the back thereof a copy of this section, in the English language, and in any languages which the persons to whom the receipt is issued can understand. No such licensed person shall receive or accept any valuable thing or gift as a fee or in lieu thereof and no fee shall be accepted by such licensed person for any other purpose as herein provided. No such licensed person shall divide fees with the contractors or their agents or other employers or any one in their employ to whom applicants for employment are sent. Every such licensed person shall give to each applicant for employment a card or printed paper containing the name of the applicant; the name and address of such employment agency and the written name and address of the person to whom the applicant is sent for employment. Every such licensed person shall post in a conspicuous place in each room of such agency sections three, four and five of this Act, which shall be printed in large type in languages which persons commonly doing business with such offices can understand. Such printed law

51 shall also contain the name and address of the officer charged with the enforce-  
 52 ment of this law.

Sec. 5. EMPLOYMENT CONTRACT—No such person shall induce or attempt to in-  
 2 duce an employee to leave his employment with a view of obtaining other employ-  
 3 ment through such agency. Whenever such licensed person or any other acting for  
 4 him, agrees to send one or more persons to work as contract laborers in any place  
 5 outside the city in which such agency is located, the said licensed person shall file  
 6 with the Commissioner of Licenses, within three days after the contract is made, a  
 7 statement containing the following items: Name and address of the employer; name  
 8 and address of the employee; nature of the work to be performed; hours of labor;  
 9 wages offered; destination of the person employed, and terms of transportation. A  
 10 duplicate copy of this statement shall be given to the applicant for employment in  
 11 a language which he is able to understand.

Sec. 6. CHARACTER OF EMPLOYMENT. FRAUD—No such licensed person shall send  
 2 or cause to be sent any female help as servants or inmate or performer to enter  
 3 any questionable place or place of bad repute, house of ill fame, or assignation  
 4 house, or to any house or place of amusement kept for immoral purposes, or place  
 5 resorted to for the purpose of prostitution, or gambling house, the character of  
 6 which such licensed person could have ascertained upon reasonable inquiry. No  
 7 such licensed person shall knowingly permit questionable characters, prostitutes,  
 8 gamblers, intoxicated persons, or procurers to frequent such agency. No such  
 9 licensed person shall accept any application for employment made by or on behalf  
 10 of any child or shall place or assist in placing any such child in any employment  
 11 whatever in violation of the child-labor law approved May 15, 1903, and in force  
 12 July 1, 1903, and an act to regulate the employment of children, approved June  
 13 9, 1897, and in force July 1, 1897. No licensed person, his agents, servants or

14 employees, shall induce or compel any person to enter such agency for any pur-  
 15 pose, by the use of force or by taking forcible possession of said person's property.  
 16 No such licensed person, his agents or employees, shall have sexual intercourse with  
 17 any female applicant for employment. No such person shall procure or offer to  
 18 procure help or employment in rooms or on premises where intoxicating liquors  
 19 are sold to be consumed on the premises whether or not dues or a fee or privilege  
 20 is exacted, charged or received directly or indirectly. For the violation of any of  
 21 the provisions of this section the penalty shall be a fine of not less than Fifty  
 22 Dollars (\$50) and not more than Two Hundred and Fifty Dollars (\$250) or im-  
 23 prisonment for a period of not more than one year, or both, at the discretion of  
 24 the court, in addition to the revocation of such person's license. No such licensed  
 25 person shall publish or cause to be published any false or fraudulent notice or ad-  
 26 vertisement; all advertisements of such employment agencies by means of cards,  
 27 circulars or signs and in newspapers and other publications, and all letter heads,  
 28 receipts and blanks shall contain the name and address of such employment agency  
 29 and no such licensed person shall give any false information or make any false  
 30 promise concerning employment to any applicant who shall register for employ-  
 31 ment or help.

Sec. 7. DEFINITIONS—The term person, when used in this Act, means and in-  
 2 cludes any individual, company, association, or corporation, or their agents, and  
 3 the term employment agency means and includes the business of procuring or  
 4 offering to procure help or employment or of giving information as to where help  
 5 or employment may be procured, whether such business is conducted in a building  
 6 or on the street or elsewhere; and the business of keeping an intelligence office, em-  
 7 ployment bureau, theatrical, or shipping agency, nurses' registry, or agency for  
 8 procuring engagements for vaudeville or theatrical performers, or other agency or  
 9 office for procuring work or employment for persons seeking employment where a

10 fee or privilege or commission is exacted, charged or received directly or indirectly  
 11 for procuring or assisting or promising to procure employment, work, engagement,  
 12 or a situation of any kind, or for procuring or providing help or promising to  
 13 provide help for any person, whether such fee is collected from the applicant for  
 14 employment or the applicant for help, excepting agencies in recognized educational  
 15 institutions only, and registries of all incorporated associations of registered nurses  
 16 and bureaus conducted by registered medical institutions and excepting also de-  
 17 partments maintained by persons, firms, corporations or associations for the pur-  
 18 pose of securing help for themselves where no fee is charged the applicant for em-  
 19 ployment. The term fee as used in this Act means money or a promise to pay  
 20 money. The term fee also means and includes the excess of money received by any  
 21 such licensed person over what he has paid for transportation, transfer of bag-  
 22 gage, or lodging for any applicant for employment. The term fee as used in this  
 23 Act also means and includes the difference between the amount of money received  
 24 by any person who furnishes employees or performers for any entertainment, exhi-  
 25 bition or performance and the amount paid by said person to the employees or  
 26 performers whom he hires to give such entertainment, exhibition or performance.  
 27 The term privilege as used in this Act means and includes the furnishing of food,  
 28 supplies tools or shelter to contract laborers, commonly known as commissary  
 29 privileges.

Sec. 8. ENFORCEMENT—The enforcement of this Act shall be entrusted to a  
 2 Commissioner to be known as a Commissioner of Licenses, who shall be appointed  
 3 by the Governor of the State and whose term of office shall be for the period of  
 4 incumbency of the Governor appointing him or until his successor is appointed  
 5 He shall appoint by and with the approval of the Governor one inspector for every  
 6 fifty licensed agencies or major fraction thereof who shall make at least bi-monthly  
 7 visits to every such agency excepting agencies exclusively for procuring executive.



clerical, and technical positions for men only which shall be inspected on complaint made to said Commissioner. Said inspectors shall have a suitable badge which they shall exhibit on demand of any person with whom they may have official business. Such inspectors shall see that all the provisions of this Act are complied with, and shall have no other occupation or business. Complaints against any such licensed person shall be made orally or in writing to the Commissioner of Licenses, and reasonable notice thereof, not less than one day, shall be given in writing to said licensed person by serving upon him a concise statement of the facts constituting the complaint, and a hearing shall be had before the Commissioner of Licenses within one week from the date of the filing of the complaint and no adjournment shall be taken for a period longer than one week. A daily calendar of all hearings shall be kept by the Commissioner of Licenses and shall be posted in a conspicuous place in his public office for at least one day before the date of such hearings. The Commissioner of Licenses shall render his decision within eight days from the time the matter is finally submitted to him. Said Commissioner of Licenses shall keep a record of all such complaints and hearings. The said Commissioner of Licenses may refuse to issue and shall revoke any license for any good cause shown, within the meaning and purpose of this Act, and when it is shown to the satisfaction of the Commissioner of Licenses that any person is guilty of any immoral, fraudulent or illegal conduct in connection with the conduct of said business, it shall be the duty of the Commissioner of Licenses to revoke the license of such person; but notice of the charges shall be presented and reasonable opportunity shall be given said licensed person to defend himself. Whenever said Commissioner of Licenses shall refuse to issue or shall revoke the license of any such employment agency, said determination shall be subject to review on writ of certiorari. Whenever for any cause such license is revoked, said Commissioner of Licenses shall not issue another license to said licensed person or his representative



or to any person with whom he is to be associated in the business of furnishing employment. The violation of any provision of this Act, except as provided in sections one and six, shall be punishable by a fine not to exceed twenty-five dollars, and any city magistrate, police justice, justice of the peace, or any inferior magistrate having original jurisdiction in criminal cases, shall have power to impose said fine, and in default of payment thereof to commit the person so offending for a period not exceeding thirty days. The said Commissioner of Licenses shall institute criminal proceedings for its enforcement before any court of competent jurisdiction.

Sec. 9. POWER—Said Commissioner or any of his inspectors shall have full power to execute and serve all warrants and processes of law issued by any justice of the peace or police magistrate, or by any court having jurisdiction under the law relating to employment agencies in the same manner as any constable may serve and execute such processes, or may arrest on sight and without warrant any person detected by them actually violating any of the provisions of this Act and may take such person so offending before any court having jurisdiction of the offense and make proper complaint before such court, which shall proceed with the case in the manner and form provided by law.

Sec. 10. SALARIES—Such Commissioner of Licenses shall receive a salary of Twenty-Five Hundred Dollars (\$2,500) per year, such salary to be paid monthly, collected by him under the provisions of this Act, upon vouchers therefor filed with the Secretary of State and approved by the Governor. He shall also be allowed the necessary printing, stationery and postage, and shall also be furnished a suitable room or rooms and necessary office furniture, and such assistants such as a clerk and stenographer, as the office requires, the same to be paid from the said fund collected by such office. The inspectors provided for in this Act shall receive Twelve

9 Hundred Dollars (\$1,200.) per annum, payable monthly, such salary to be audited  
10 and paid from the said license fund, and upon the certificates of the Superintendent  
11 of Licenses that such services have actually been rendered under his direction, pro-  
12 vided that should the license fund become exhausted during the year, the Superin-  
13 tendent of Licensee shall have the power and authority to suspend any number or  
14 all inspectors until such fund is again replenished. The said Commissioner shall, at  
15 the end of each fiscal year, make an account of said fund and pay into the State  
16 Treasurer whatever balance shall remain after having paid the aforesaid expenses.

Sec. 11. Sections 9, 10, 11, 12 and 13 of an act relating to employment offices  
2 and agencies approved May 11, 1903, and all acts and parts of acts inconsistent  
3 herewith are hereby repealed.



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- 1 Introduced by Mr. Zinger, Jan. 22, 1907.
  - 2 Read first time, ordered printed and referred to Committee on Judiciary.

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## A BILL

For an act to provide for liens by persons erecting monuments, gravestones, inclosure or other structures in cemetery or burial grounds, and providing for the manner of enforcing such liens.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*  
2 *General Assembly:* A person furnishing or placing in a cemetery or burial ground,  
3 a monument, gravestone, inclosure or other structure, has a lien thereon for the  
4 agreed price thereof or the part remaining unpaid, with interest from the time  
5 the amount was due, upon filing with the town, village and city clerk in which  
6 such cemetery is located, a notice of lien as provided in this article.

Sec. 2. Such notice may be filed at any time after the completion of the work,  
2 but must be filed within three years after the agreed price for furnishing or placing  
3 such monument, gravestone, inclosure or other structure becomes due, and shall  
4 state that the lienor has a lien on such monument, gravestone, inclosure or other

5 structure for the purchase price thereof, or some unpaid part of such purchase price  
 6 with interest, specifying the amount agreed upon to be paid, and the amount un-  
 7 paid, with a description of such monument, gravestone, inclosure or other struc-  
 8 ture, and the location of the plot upon which it stands, and the names of the per-  
 9 sons with whom the agreement for the purchase and erection of the structure, or  
 10 for the performance of such labor was made. The notice shall be signed and veri-  
 11 fied by the lienor. The lienor shall, within ten days after the filing of such notice,  
 12 serve a copy personally, or by mail, upon the person with whom the agreement for  
 13 the purchase and erection of such monument, gravestone, or other structure, or  
 14 for the performance of labor thereon was made, and upon the owner of the lot upon  
 15 which such monument, gravestone or other structure is erected, if the name and  
 16 residence of such owner can, with reasonable diligence, be ascertained.

Sec. 3. After the service of such notice, an action to recover the amount of the debt  
 2 and to enforce a lien therefor may be maintained by the lienor against the person  
 3 with whom the agreement was made for the purchase and erection of such monu-  
 4 ment, gravestone, inclosure or other structure or for the performance of labor  
 5 thereon. If such lienor succeeds in establishing his lien, the judgment recovered may  
 6 authorize him to remove such monument, gravestone, inclosure, or other structure  
 7 from the burial ground or cemetery and to sell the same at public auction to satisfy  
 8 the amount of such judgment. Notice of the sale shall be published at least ten  
 9 days before the time thereof, in a newspaper published in the town or city where  
 10 such sale is to take place, and if no newspaper is published therein, in a newspaper  
 11 nearest thereto. Such notice shall state the time and place of the sale, and shall  
 12 describe the property to be sold. A copy of such notice shall be served personally  
 13 or by mail at least ten days before such sale upon the persons served with the  
 14 notice of lien as prescribed in the preceding section.



Sec. 4. The lienor shall, out of the proceeds of the sale, pay the expenses thereof,  
2 and the expenses of the removal of such monument, gravestone, inclosure or other  
3 structure from the cemetery or burial ground, not exceeding fifty dollars, if a mon-  
4 ument, and ten dollars, if a gravestone, inclosure or other structure, and retain  
5 out of such proceeds, the amount due upon the judgment recovered in the action to  
6 enforce the lien, and the residue, if any, shall be forthwith paid to the judgment  
7 debtor.

Sec. 5 The superintendent or other person in charge of a cemetery or burial  
2 ground shall not permit the removal, alteration or inscription of a monument,  
3 gravestone, inclosure or other structure, against which a lien exists, after the notice  
4 of such lien has been filed and served as prescribed in this article, except pursuant  
5 to the terms of a judgment recovered in an action brought to enforce such a lien.  
6 No officer of a cemetery association, or other person connected with a cemetery or  
7 burial ground, shall hinder or obstruct the removal in a proper manner of any such  
8 monument, gravestone, inclosure or other structure pursuant to the terms of such  
9 judgment, and all laws or parts of laws in conflict with this Act are herewith and  
10 hereby repealed.



1 Introduced by Mr. Allen, January 23, 1907.

2 Read by title, ordered printed and referred to Committee on Miscellaneous Sub-  
jects, when appointed.

## A BILL

For an act to regulate the practice of Osteopathy in the State of Illinois, to provide  
for a board of Osteopathic examination and registration and to provide penalties  
for the violation of the provisions of this Act.

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That the Governor shall, within thirty  
3 (30) days after the passage of this Act has taken effect, appoint a Board of Os-  
4 teopathic Examiners to be known as "The Illinois State Board of Osteopathic  
5 Examination and Registration." consisting of five (5) members, whose term of  
6 office shall expire on one (1), two (2), three (3), four (4) and five (5) years con-  
7 secutively from the date of their appointment; and he shall annually there-  
8 after appoint one member for five (5) years to fill the vacancy caused by the ex-  
9 piration of the term of office of the outgoing member of the board. No person

10 who is not a graduate of a reputable school or college of Osteopathy, having a  
 11 course of at least four (4) terms of five (5) months each, shall be appointed a  
 12 number of said board, and who has not been a resident of the State of Illinois  
 13 at least one (1) year preceeding such an appointment.

Sec. 2. The Governor shall, immediately after the appointment of said  
 2 board, appoint from its members a president, secretary and treasurer and said  
 3 board shall have a common seal. The president and secretary shall have the  
 4 authority to administer oaths for the accomplishments of the objects of the  
 5 board as hereinafter provided. The board shall keep a record of all its pro-  
 6 ceedings, and also a register of all applicants for license, together with a record  
 7 showing their ages, time spent in the study of Osteopathy and the name and  
 8 location of all colleges granting to such applicants degrees or certificates of  
 9 courses in Osteopathy. Such record shall also show whether such applicant was  
 10 rejected or licensed; and said books and register shall be *prima facie* evidence  
 11 of all matters required to be kept therein. No applicant shall be rejected with-  
 12 out being given an opportunity of appearing before the board in person or by  
 13 attorney. It shall be the duty of said board to meet at least semi-annually at  
 14 such time and place as it shall designate, to examine applicants to practice Os-  
 15 teopathy in this State, and shall grant license to such applicants as shall satis-  
 16 factorily pass the examination prescribed by said board: *Provided*, Said ap-  
 17 plicants are of good moral character, are graduates of some recognized college  
 18 of Osteopathy requiring a three years' course of nine months each year before  
 19 graduation, no two of such courses to be given within any one twelve months,  
 20 and that shall require for admission thereto a preliminary education equivalent  
 21 to that necessary for entrance to the junior class of an accredited high school  
 22 in this State, including a one year's course in Latin.

Sec. 3. The board shall prescribe an examination which shall include the following subjects, namely: Anatomy, physiology, histology, physiological chemistry, toxicology, pathology, gynecology, obstetrics, hygiene, neurology, minor surgery, antiseptics, anaesthetics, bacteriology, medical jurisprudence, principles and practice of Osteopathy and Osteopathic diagnosis and such other subjects as said board shall direct. In each of the subjects named the applicants shall pass a minimum grade of seventy (70) per cent and a general average for the entire examination of not less than seventy-five (75) per cent. After examination as hereinbefore provided the board shall if it find the applicant qualified, grant a license to said applicant to practice Osteopathy which license after the payment of the fees as hereinafter provided shall be signed by all the members of the board and attested by the secretary and seal of the board. Osteopaths when so licensed shall have the same rights and privileges and be subject to the same laws and regulations as physicians from other schools of medical practice, but shall not have the right to practice major surgery or to prescribe drugs otherwise than in the use of antiseptics, anaesthetics and antidotes for poisons. The fee for examination and for a certificate shall be as follows: Ten (10) dollars fee examination and five (5) dollars for a certificate if issued. Such fee or fees shall be paid to the treasurer of the board towards defraying any proper and reasonable expenses of the board.

Sec. 4. Any person within thirty (30) days after the organization of the board holding a certificate to "treat human ailments without the use of medicine internally or externally, and without performing surgical operations," issued under and according to the provisions of chapter 91, Revised Statutes of Illinois, 1901, can upon presenting such certificate on the issuance of said license obtain an Osteopathic physician's certificate: *Provided*, He or she files with the board



7 a certificate of the Illinois Osteopathic Association, a corporation duly organ-  
 8 ized and chartered under the laws of the State of Illinois, setting forth under  
 9 seal attested by the president and secretary of the association that the person  
 10 named in the certificate is a graduate of a reputable college of Osteopathy;  
 11 that he or she is of good moral character and that he or she is in good standing  
 12 in his or her profession, such person upon the payment of five dollars (\$5.00)  
 13 shall receive an Osteopathic physician's certificate from the board without an  
 14 examination: *Provided, further,* Any person producing satisfactory evidence of  
 15 having been licensed to practice Osteopathy in any other state or territory of  
 16 the United States for a period of at least three (3) years, who shall personally  
 17 appear and present a certified copy of certificate of registration or license which  
 18 has been issued to said applicant in another state or territory in the Union or  
 19 of other countries where the requirements for registration shall be deemed by  
 20 the board equivalent to those of this State, shall be entitled to receive a certifi-  
 21 cate to practice Osteopathy in this State upon the presentation of a diploma,  
 22 granted by a recognized college of Osteopathy, to the board and the payment of  
 23 a registration fee of fifteen dollars (\$15.00).

Sec. 5. Every person holding a license to practice Osteopathy from the Os-  
 2 teopathic State Board of Examination and Registration shall have it recorded  
 3 in the office of the county clerk in which he practices, and the date of recording  
 4 shall be endorsed thereon. Any person practicing in another county shall record  
 5 Osteopathy, or any letters or designatty in which he or she practices. The county  
 6 clerk shall keep in a book provided for the purpose a complete list of all Osteo-  
 7 pathic certificates recorded by him, with the date of issue of the license.

Sec. 6. On the thirtieth day of September of each year the Illinois State Os-  
 2 teopathic Board shall make a report of its proceedings showing all items of re-

3 receipts from all its sources and disbursements for all licenses issued. All funds  
 4 in the treasury on said date which have been received in the enforcement of this  
 5 Act shall be paid into the State treasury.

Sec. 7. Each member of the board shall receive a compensation of five (5)  
 2 dollars per diem for the time actually spent by him in discharging his duties as a  
 3 member of the board, together with his necessary expenses: *Provided, The*  
 4 amount received for examinations and certificates under this Act be sufficient to  
 5 pay the same, but if the State Auditor shall, at any time, find upon investigation  
 6 that said sums are not sufficient to meet the per diem and expenses as herein pro-  
 7 vided, then he shall allow the expenses in full and such percentage upon the per  
 8 diem that the expense to the State shall not exceed the receipts under the provis-  
 9 ions of this Act.

Sec. 8. All statutory regulations controlling infectious and contagious dis-  
 2 eases, and the granting of certificates of births and deaths and all requirements  
 3 of public health acts shall apply to practitioners of Osteopathy.

Sec. 9. Any person in this State who shall practice or attempt to practice  
 2 Osteopathy, or who shall hold himself or herself out to the public as an Osteo-  
 3 pathic physician or specialist in any of the branches of the respective schools of  
 4 Osteopathy, or who shall use the title "D. O.," meaning doctor or diplomate of  
 5 Osteopathy, or any letters or designation meaning any of the titles enumerated  
 6 in this section without complying with the provisions of this Act, shall be guilty  
 7 of a misdemeanor and upon conviction thereof shall be fined not less than fifty  
 8 (50) dollars, nor more than five hundred (500) dollars, for each offense or by im-  
 9 prisonment in the county jail for a term not exceeding three (3) months, or by  
 10 both such fines and imprisonment.

Sec. 10. All acts and parts of acts inconsistent with this Act are hereby  
 2 repealed.



- 
- 1 Introduced by Mr. Allen, January 23, 1907.
- 2 Read by title, ordered printed and referred to Committee on Miscellaneous Subjects, when appointed.
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## A BILL

For an act to regulate the practice of Osteopathy in the State of Illinois, to provide for a board of Osteopathic examination and registration and to provide penalties for the violation of the provisions of this Act.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That the Governor shall, within thirty  
3 (30) days after the passage of this Act has taken effect, appoint a Board of Os-  
4 teopathic Examiners to be known as "The Illinois State Board of Osteopathic  
5 Examination and Registration," consisting of five (5) members, whose term of  
6 office shall expire on one (1), two (2), three (3), four (4) and five (5) years con-  
7 secutively from the date of their appointment; and he shall annually there-  
8 after appoint one member for five (5) years to fill the vacancy caused by the ex-  
9 piration of the term of office of the outgoing member of the board. No person



10 who is not a graduate of a reputable school or college of Osteopathy, having a  
11 course of at least four (4) terms of five (5) months each, shall be appointed a  
12 number of said board, and who has not been a resident of the State of Illinois  
13 at least one (1) year preceding such an appointment.

Sec. 2. The Governor shall, immediately after the appointment of said  
2 board, appoint from its members a president, secretary and treasurer and said  
3 board shall have a common seal. The president and secretary shall have the  
4 authority to administer oaths for the accomplishments of the objects of the  
5 board as hereinafter provided. The board shall keep a record of all its pro-  
6 ceedings, and also a register of all applicants for license, together with a record  
7 showing their ages, time spent in the study of Osteopathy and the name and  
8 location of all colleges granting to such applicants degrees or certificates of  
9 courses in Osteopathy. Such record shall also show whether such applicant was  
10 rejected or licensed; and said books and register shall be *prima facie* evidence  
11 of all matters required to be kept therein. No applicant shall be rejected with-  
12 out being given an opportunity of appearing before the board in person or by  
13 attorney. It shall be the duty of said board to meet at least semi-annually at  
14 such time and place as it shall designate, to examine applicants to practice Os-  
15 teopathy in this State, and shall grant license to such applicants as shall satis-  
16 factorily pass the examination prescribed by said board: *Provided*, Said ap-  
17 plicants are of good moral character, are graduates of some recognized college  
18 of Osteopathy requiring a three years' course of nine months each year before  
19 graduation, no two of such courses to be given within any one twelve months,  
20 and that shall require for admission thereto a preliminary education equivalent  
21 to that necessary for entrance to the junior class of an accredited high school  
22 in this State, including a one year's course in Latin.



Sec. 3. The board shall prescribe an examination which shall include the following subjects, namely: Anatomy, physiology, histology, physiological chemistry, toxicology, pathology, gynecology, obstetrics, hygiene, neurology, minor surgery, antiseptics, anaesthetics, bacteriology, medical jurisprudence, principles and practice of Osteopathy and Osteopathic diagnosis and such other subjects as said board shall direct. In each of the subjects named the applicants shall pass a minimum grade of seventy (70) per cent and a general average for the entire examination of not less than seventy-five (75) per cent. After examination as hereinbefore provided the board shall if it find the applicant qualified, grant a license to said applicant to practice Osteopathy which license after the payment of the fees as hereinafter provided shall be signed by all the members of the board and attested by the secretary and seal of the board. Osteopaths when so licensed shall have the same rights and privileges and be subject to the same laws and regulations as physicians from other schools of medical practice, but shall not have the right to practice major surgery or to prescribe drugs otherwise than in the use of antiseptics, anaesthetics and antidotes for poisons. The fee for examination and for a certificate shall be as follows: Ten (10) dollars fee examination and five (5) dollars for a certificate if issued. Such fee or fees shall be paid to the treasurer of the board towards defraying any proper and reasonable expenses of the board.

Sec. 4. Any person within thirty (30) days after the organization of the board holding a certificate to "treat human ailments without the use of medicine internally or externally, and without performing surgical operations," issued under and according to the provisions of chapter 91, Revised Statutes of Illinois, 1901, can upon presenting such certificate on the issuance of said license obtain an Osteopathic physician's certificate: *Provided*, He or she files with the board

7 a certificate of the Illinois Osteopathic Association, a corporation duly organ-  
 8 ized and chartered under the laws of the State of Illinois, setting forth under  
 9 seal attested by the president and secretary of the association that the person  
 10 named in the certificate is a graduate of a reputable college of Osteopathy;  
 11 that he or she is of good moral character and that he or she is in good standing  
 12 in his or her profession, such person upon the payment of five dollars (\$5.00)  
 13 shall receive an Osteopathic physician's certificate from the board without an  
 14 examination: *Provided, further,* Any person producing satisfactory evidence of  
 15 having been licensed to practice Osteopathy in any other state or territory of  
 16 the United States for a period of at least three (3) years, who shall personally  
 17 appear and present a certified copy of certificate of registration or license which  
 18 has been issued to said applicant in another state or territory in the Union or  
 19 of other countries where the requirements for registration shall be deemed by  
 20 the board equivalent to those of this State, shall be entitled to receive a certifi-  
 21 cate to practice Osteopathy in this State upon the presentation of a diploma,  
 22 granted by a recognized college of Osteopathy, to the board and the payment of  
 23 a registration fee of fifteen dollars (\$15.00).

Sec. 5. Every person holding a license to practice Osteopathy from the Os-  
 2 teopathic State Board of Examination and Registration shall have it recorded  
 3 in the office of the county clerk in which he practices, and the date of recording  
 4 shall be endorsed thereon. Any person practicing in another county shall record  
 5 Osteopathy, or any letters or designatty in which he or she practices. The county  
 6 clerk shall keep in a book provided for the purpose a complete list of all Osteo-  
 7 pathic certificates recorded by him, with the date of issue of the license.

Sec. 6. On the thirtieth day of September of each year the Illinois State Os-  
 2 teopathic Board shall make a report of its proceedings showing all items of re-

3 receipts from all its sources and disbursements for all licenses issued. All funds  
 4 in the treasury on said date which have been received in the enforcement of this  
 5 Act shall be paid into the State treasury.

Sec. 7. Each member of the board shall receive a compensation of five (5)  
 2 dollars per diem for the time actually spent by him in discharging his duties as a  
 3 member of the board, together with his necessary expenses: *Provided*, The  
 4 amount received for examinations and certificates under this Act be sufficient to  
 5 pay the same, but if the State Auditor shall, at any time, find upon investigation  
 6 that said sums are not sufficient to meet the per diem and expenses as herein pro-  
 7 vided, then he shall allow the expenses in full and such percentage upon the per  
 8 diem that the expense to the State shall not exceed the receipts under the provis-  
 9 ions of this Act.

Sec. 8. All statutory regulations controlling infectious and contagious dis-  
 2 eases, and the granting of certificates of births and deaths and all requirements  
 3 of public health acts shall apply to practitioners of Osteopathy.

Sec. 9. Any person in this State who shall practice or attempt to practice  
 2 Osteopathy, or who shall hold himself or herself out to the public as an Osteo-  
 3 pathic physician or specialist in any of the branches of the respective schools of  
 4 Osteopathy, or who shall use the title "D. O.," meaning doctor or diplomate of  
 5 Osteopathy, or any letters or designation meaning any of the titles enumerated  
 6 in this section without complying with the provisions of this Act, shall be guilty  
 7 of a misdemeanor and upon conviction thereof shall be fined not less than fifty  
 8 (50) dollars, nor more than five hundred (500) dollars, for each offense or by im-  
 9 prisonment in the county jail for a term not exceeding three (3) months, or by  
 10 both such fines and imprisonment.

Sec. 10. All acts and parts of acts inconsistent with this Act are hereby  
 2 repealed.





Introduced by Mr. Allen, January 23, 1907.

Read by title, ordered printed and referred to Committee on Revenue, when appointed.

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## A BILL

For an Act to amend section two hundred and seventy six (276) of an Act entitled  
“An Act for the assessment of property and for the levy and collection of taxes.”

Approved March 30, 1872, and in force July 1, 1872.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That section two hundred and seventy-six  
3 (276) of an act entitled “An Act for the assessment of property and for the levy  
4 and collection of taxes” be and the same is hereby amended to read as follows:

Sec. 276. If any real or personal property shall be omitted in the assess-  
2 ment of any year or number of years, or the tax thereon, for which such property  
3 was liable, from any cause, has not been paid, or if any such property, by reason  
4 of defective description or defective assessment thereof, shall fail to pay taxes for  
5 any year or years, in either event, the same when discovered, shall be listed and



6 assessed by the Board of Review and placed upon the assessment and tax books.  
7 The arrearages of tax which might have been assessed with ten per cent interest  
8 per annum thereon, from the time the same ought to have been paid, shall be  
9 charged against such property by the County Clerk. Omitted property, whether  
10 real or personal, shall be such property as was not assessed or that was not assessed  
11 ed at its fair cash value, and bonds, stocks, credits, and money that are not assessed  
12 sessed or that are not assessed at their fair cash value, shall be held to be omitted  
13 property for the difference between what they were assessed at and their fair  
14 cash value at the time of their assessment. It shall be the duty of county clerks  
15 to add uncollected personal property tax to the tax of any subsequent year, whenever  
16 ever they may find the person owing such uncollected tax assessed for any subsequent  
17 sequent year.

- 1 Introduced by Mr. Allen, January 23, 1907.
- 2 Read by title, ordered printed and referred to Committee on County and Town-  
ship Organization, when appointed.

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## A BILL

For an act to amend section twenty-four (24) of an act entitled “An Act to revise the law in relation to counties,” approved and in force March 31, 1874.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That section twenty-four (24) of an act  
3 entitled “An Act to revise the law in relation to counties” be and the same is  
4 hereby amended to read as follows:

Sec. 24. Each county shall have power:

First—To purchase and hold the real and personal estate necessary for the  
2 uses of the county, and to purchase and hold, for the benefit of the county, real  
3 estate sold by virtue of judicial proceedings in which the county is plaintiff.

4       Second—To sell and convey or lease any real estate or personal estate owned  
5 by the county.

6       Third—To make all contracts in relation to the property of the county, also  
7 all contracts with persons for the discovery and report of property omitted from  
8 assessment and taxation, and do all other acts in relation to the property and con-  
9 cerns of the county and property omitted from assessment and taxation, and all  
10 other acts necessary to the exercise of its corporate power, and also do all acts nec-  
11 essary to prevent the escape of property from assessment and taxation.

12       Fourth—To take all necessary measures and institute proceedings to enforce  
13 all laws for the prevention of cruelty to animals.

14       Fifth—To take all necessary means and institute all necessary steps and pro-  
15 ceedings and make all necessary contracts to prevent property from escaping as-  
16 sessment and taxation.

17       Sixth—To pay the compensation provided for in such contracts *pro rata* out  
18 of the respective funds arising from the collection of taxes from such omitted  
19 property.

Introduced by Mr. Chipperfield by request, January 23, 1907.

Read by title, ordered printed and referred to Committee on Judiciary, when appointed.

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## A BILL

For an act to amend Section 1 of an act entitled "An Act to revise the law in relation to the sentence and commitment of persons convicted of crime, and providing for a system of parole, and to provide compensation for the officers of said system of parole," approved April 21, 1899, in force July 1, 1899, as amended by an act approved May 10, 1901, in force July 1, 1901.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That Section 1 of an act entitled "An Act to revise the law in relation to the sentence and commitment of persons convicted of crime, and providing for a system of parole, and to provide compensation for the officers of said system of parole," approved April 21, 1899, in force July 1, 1899, as amended by an act approved May 10, 1901, in force July 1, 1901, be and the same is hereby amended so as to read as follows:

Sec. 1. That every male person over twenty-one years of age, and every female person over eighteen years of age, who shall be convicted of a felony or other crime punishable by imprisonment in the penitentiary, except treason, murder, rape, and kidnapping, shall be sentenced to the penitentiary, and the jury fixing the guilt of the defendant shall state in its verdict the maximum limit or duration of said imprisonment which shall not exceed, however, the maximum term fixed by law, for the crime of which the prisoner was found guilty. The term of service of such imprisonment shall not be less than one year, nor shall it exceed the maximum fixed by the court and jury trying said cause, making allowance for good time as now provided by law.



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- 1 Introduced by Mr. Chipperfield by request, January 23, 1907.
  - 2 Read by title, ordered printed and referred to Committee on Judicial Department  
and Practice, when appointed.

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## A BILL

For an act concerning appeals by the people in criminal cases, and relating to the practice thereto.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* In all criminal cases in courts of record  
3 the People of the State of Illinois may appeal to the Supreme Court from final  
4 judgments on demurrer to or motions to quash indictments or informations and  
5 from orders arresting judgment.

Sec. 2. The state's attorney may pray an appeal within twenty days after  
2 the judgment is entered, which appeal shall be allowed by the court, who shall  
3 for such purpose sign proper bills of exceptions. The clerk shall immediately  
4 make a transcript of such parts of the record as may be directed by the state's  
5 attorney, and forthwith transmit the same to the clerk of the Supreme Court.

Sec. 3. An appeal taken by the people in no case shall stay the operation  
2 of the judgment in favor of the defendant. If such judgment is reversed such  
3 further proceedings in said case may be had as justice may require.

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- 1 Introduced by Mr. Chipperfield by request, January 23, 1907.
  - 2 Read by title, ordered printed and referred to Committee on Judicial Department  
and Practice, when appointed.

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## A BILL

For an act to amend Section 11 of Division XIII of an act entitled "An Act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That Section 11 of Division XIII of an act  
3 entitled "An Act to revise the law in relation to criminal jurisprudence," ap-  
4 proved March 27, 1874, in force July 1, 1874, be and the same is hereby amended  
5 so as to read as follows:

Sec. 11. Juries in all criminal cases shall be judges of the *facts only, and not*  
2 *of the law, but shall take the law of the case from the Court.* ;



- 1 Introduced by Mr. Curran, January 23, 1907. ,
- 2 Read by title, ordered printed and referred to Committee on Corporations, when  
appointed.

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## A BILL

For an act to regulate and define the liability of any corporation, corporations, firm, firms, company, companies for pecuniary damages to their employes, and to person or persons, and to their personal representatives in case of personal injury or death sustained while in their employ.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That any corporation, corporations, firm,  
3 firms, company, companies, person or persons, who may employ agents, servants  
4 or employes, engaged in hazardous occupations, such agents, servants or employes  
5 being in the exercise of due care, shall be liable to respond in damages for injuries  
6 or death sustained by any such agent, employes or servant, resulting from the care-  
7 lessness, omission of duty or negligence of such employer, or which may have re-  
8 sulted from the carelessness, omission of duty or negligence of any other agent,



9 servant or employe of the said employer, in the same manner and to the same ex-  
10 tent as if the carelessness, omission of duty or negligence causing the injury or  
11 death was that of the employer.

Introduced by Mr. Donoghue by request, January 23, 1907.

Read by title, ordered printed and referred to Committee on Revenue, when appointed.

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## A BILL

For an act to provide for equal taxation of all lands in the State of Illinois.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That hereafter all real estate located in the State of Illinois except that which belongs to the State of Illinois or the United States government shall be assessed and taxed equally.



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- 1 Introduced by Mr. Foster, January 23, 1907.
- 2 Read by title, ordered printed and referred to Committee on Railroads when ap-  
pointed.
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## A BILL

For an act to provide the maximum passenger rate which may be charged by railroads within this State and providing a penalty for violations thereof.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That no corporation operating a railroad  
3 lying wholly or in part within this State shall demand, collect or receive a greater  
4 compensation for the transportation of persons on its road between points within  
5 this State than two (2) cents per mile for distances exceeding five (5) miles.

3 Any railroad company or corporation violating the provision of this Act shall  
7 be fined not less than five thousand dollars (\$5,000) nor more than twenty-five  
8 thousand dollars (\$25,000.00) for each offense.





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- 1 Introduced by Mr. Golden, January 23, 1907.
  - 2 Read by title, ordered printed and referred to Committee on Farm Drainage when appointed.
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## A BILL

For an act to amend an act entitled “An Act to revise and amend an act and certain sections thereof entitled, ‘An Act to provide for the construction, reparation and protection of drains, ditches and levees across the lands of others for agricultural, sanitary and mining purposes, and to provide for the organization of drainage districts.’ ” Approved and in force May 29, 1879. As amended by certain acts herein entitled and to repeal certain laws therein named. Approved June 30, 1885, and in force July 1, 1885, by adding thereto a section to be known as Section 27½ of said act, providing for the levy and collection of an annual tax or assessment against the lands within any drainage district organized or operating under this Act, for the purpose of keeping the ditches and drains of such districts in repair, and to pay the incidental costs and expenses connected therewith as applicable to drainage districts independent of levees, and to provide for the manner of collecting the same.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That an act entitled “An Act to provide,

3 revise and amend an act and certain sections thereof entitled, 'An Act to provide  
 4 for the construction, reparation and protection of drains, ditches and levees across  
 5 the lands of others for agricultural, sanitary and mining purposes, and to provide  
 6 for the organization of drainage districts.' '' Approved and in force May 29,  
 7 1879. As amended by certain acts herein entitled and to repeal certain laws here-  
 8 in named. Approved June 30, 1885, in force July 1, 1885, be and the same is here-  
 9 by amended by adding thereto the following section, to be known as Section 27½  
 10 of said act.

Sec. 27½. The commissioners of any drainage district that has heretofore,  
 2 or may be hereafter organized under this Act, or that may have adopted this Act  
 3 in the manner provided by law, may at any time petition the county court for an  
 4 order to levy, annually, against the lands within such district, a sum of money  
 5 sufficient to keep the ditches and drains of such district in repair each year, and  
 6 to pay the incidental costs and expenses connected therewith. *Provided*, That at  
 7 the time of filing such petition there are no funds belonging to, or due such district  
 8 for the purpose. Two weeks' notice of the time and place fixed for hearing such  
 9 petition shall be given by the drainage commissioners in the manner prescribed  
 10 by Section 3 of this Act. If upon the hearing of such petition the court finds for  
 11 the commissioners, it shall fix a definite sum to be levied and collected annually,  
 12 not exceeding in the aggregate a sum equal to twenty-five cents per acre on all  
 13 land within said district. The manner of assessing the lands within said district  
 14 for the purpose herein named shall be in the same manner as provided for in this  
 15 Act for assessing lands already organized into drainage districts under this Act.  
 16 When such assessment shall have been approved and confirmed the same shall be  
 17 the basis for all subsequent assessments for the purposes herein named, and after  
 18 the first assessment has been made, confirmed and approved by the court, the

19 commissioners shall report to the court on the first Tuesday in July of each suc  
20 ceeding year, the amount necessary to be raised for the purpose of keeping the  
21 ditch or ditches of the district in repair, and the incidental costs and expenses  
22 connected therewith for the current year (not exceeding the amount fixed by the  
23 court aforesaid); and the amount fixed by the court upon the hearing of such re-  
24 port shall be certified by the drainage commissioners to the clerk of the county  
25 court in which such district was organized, on or before September 1st of each  
26 year and it shall be the duty of such clerk to extend such annual tax against the  
27 land within said district upon the basis of said first assessment, and the same  
28 shall be collected and paid to the said district in the same manner as general taxes  
29 are collected and paid. Such assessments shall bear interest at the rate of 5 per  
30 cent per annum after January 1st of each year.

31 This section shall not apply to drainage districts organized for the purpose  
32 of the construction, reparation and protection of levees only, nor shall this Act be  
33 construed to repeal section 37 of this Act.



- 1 Introduced by Mr. Lantz, January 23, 1907.
- 2 Read by title, ordered printed and to lie on the Speaker's table.

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## A BILL

For an act, amending sections 6 and 7-A of an act entitled "An Act to provide for the punishment of persons, copartnerships or corporations forming pools, trusts and combines and mode of procedure and rules of evidence in such cases," approved June 11, 1891, in force July 1, 1891, and as amended by an act approved June 20, 1893; in force July 1, 1893.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That sections six (6) and seven A (7-A)  
3 of an act entitled "An Act to provide for the punishment of persons, copart-  
4 nerships or corporations forming pools, trusts and combines and mode of proced-  
5 ure and rules of evidence in such cases," approved June 11, 1891, in force July 1,  
6 1891, and as amended by an act approved June 20, 1893, in force July 1, 1893, be  
7 and the same are hereby amended to read as follows:

Sec. 6. Any purchaser of any article or commodity from any individual,  
2 company or corporation transacting business *in this State* contrary to any of the



provisions of this Act shall not be liable for the price or payment of such article or commodity and may plead this Act as a defense to any suit for such price or payment, and any such purchaser or other person claiming to be injured by reason of any such pool, agreement, contract, combination, confederation or understanding may file a bill of complaint in equity in the nature of a bill of discovery in the name of the People of the State of Illinois, upon the relation of any such purchaser or person claiming to be injured, setting forth the facts of the existence of such pool, agreement, contract, combination, confederation or understanding and the manner in which such person claims to have been injured and such person shall be entitled to have a temporary injunction issue against any such person, copartnership or corporation alleged to be a party to such pool, agreement, contract, combination, confederation or understanding having or claiming to have any claim against such purchaser or person claiming to be aggrieved or injured restraining and enjoining them and each of them from prosecuting said alleged claim or claims and upon the trial of said cause and upon the proof that any such person, copartnership or corporation is a party to such pool, agreement, contract, combination, confederation or understanding such purchaser or person claiming to having been injured shall be entitled to have any such alleged claim or demand of such person, copartnership or corporation against such purchaser or aggrieved person cancelled and he shall be further permitted to prove whatever damages have been sustained by reason of such pool, agreement, contract, combination, confederation or understanding and shall be entitled to have a decree entered for the amount of such damages and upon the final hearing the court shall grant a perpetual injunction against all such persons, copartnerships or corporations found to be doing business in violation of this Act restraining and enjoining them from further continuation of such business in the State of Illinois.

Sec. 7-A. It shall be the duty of the Secretary of State, on or about the first day of September of each year, to address to the president, secretary or treasurer of each incorporated company doing business in this State whose postoffice address is known or may be ascertained a letter of inquiry as to whether the said corporation has all or any part of its business or interests in or with any trust, combination or association of persons or stockholders, as named in the preceding provisions of this Act, and to require an answer under oath of the president, secretary or treasurer or any director of said company; a form of affidavit shall be enclosed in said letter of inquiry, as follows:

STATE OF ILLINOIS }  
COUNTY OF..... } ss.

I, ....., do solemnly swear that I am the..... (president, secretary, treasurer or director) of the corporation known and styled..... duly incorporated under the laws of the..... on the.... day of..... 19..., and now transacting or conducting business in the State of Illinois, and that I am duly authorized to represent said corporation in the making of this affidavit; and I do further solemnly swear that the said....., known and styled as aforesaid has not, since the.... day of..... (naming the day upon which this Act takes effect) created, entered into or become a member of or a party to any pool, trust, agreement, combination, confederation or understanding with any other corporation, partnership, individual or any other person or association of persons, to regulate or fix the price of any article of merchandise or commodity, and that it has not entered into or become a member of or a party to any pool, trust, agreement, contract, combination, confederation or understanding to fix or limit the amount of quantity or quality of any article, commodity or merchandise to be manufactured, mined, produced or

26 sold in this State; and that it has not issued and does not own any trust certificates  
 27 and for any corporation, agent, officer or employe or for the directors or stock-  
 28 holders of any corporation, has not entered into and is not now in any combina-  
 29 tion, contract or agreement with any person or persons, corporation or corpora-  
 30 tions, or with any stockholder or director thereof, the purpose and effect of which  
 31 said combination, contract, or agreement would be to place the management or  
 32 control of such corporation, combination or combinations, or the manufactured  
 33 product thereof, in the hands of any trustee or trustees with the intent to limit or  
 34 fix the price or lessen the production and sales of any article of commerce, use or  
 35 consumption, or to prevent, restrict or diminish competition in the manufacture,  
 36 *production or output or sale of any such article.*

37 .....  
 38 (President, Secretary, Treasurer or Director.)

39 Subscribed and sworn to before me, a ..... within and for the  
 40 county of ..... in the State of Illinois, the .... day of ..... 19....

41 .....  
 42 (SEAL.) ..... (Name of Officer.)

43 And such affidavit shall be sworn to by some one of such officers of such corpo-  
 44 ration before some person in the State of Illinois, authorized to administer oaths,  
 45 and any person who shall willfully, corruptly or falsely swear to such affidavit  
 46 shall be guilty of perjury; and on refusal to make oath in answer to said inquiry  
 47 or for failure to do so within thirty days from the mailing thereof, the Secre-  
 48 tary of State shall certify the fact to the Attorney General whose duty it shall be  
 49 to direct the State's Attorney of the county wherein such corporation or corpora-  
 50 tions are located or doing business, and it is hereby made the duty of the State's



51 Attorney under the direction of the Attorney General, at the earliest possible or  
52 practicable moment, in the name of the People of the State of Illinois, and at the  
53 relation of the Attorney General, to proceed against such corporation for the re-  
54 covery of a penalty of fifty dollars (\$50) for each day after the refusal to make  
55 oath, or failure to make said oath within thirty days from the mailing of said  
56 notice. Or the Attorney General may, by any proper proceedings in a court of  
57 law or chancery proceed upon such failure or refusal to forfeit such charter of  
58 such incorporated company or association incorporated under the general laws or  
59 by any special law of this State, and to revoke the rights and enjoin the further  
60 conduct of the business in this State of any foreign corporation located herein *or*  
61 *doing or transacting business in this State.*





Introduced by Mr. Lantz, January 23, 1907.

Read by title, ordered printed and to lie on the Speaker's table.

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## A BILL

For an act to amend sections 5 and 6 of an act entitled "An Act in regard to attorneys general and state's attorneys," approved March 26, 1874, and enforced July 1, 1874.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections 5 and 6 of an act entitled "An Act in regard to attorneys general and state's attorneys," approved March 26, 1874, enforced July 1, 1874, be and is hereby amended to read as follows:

Sec. 5. The duties of the state's attorneys shall be:

First—*To institute and enforce the prosecution for all violations of the penal statutes of the State of Illinois*, to commence, and prosecute all actions, indictments and prosecutions, civil and criminal, in any court of record in his county, in which the people of the State or county may be concerned.

6       Second—To prosecute all forfeited bonds and recognizances, and all actions  
7 and proceedings for the recovery of debts, revenues, moneys, fines, penalties and  
8 forfeitures accruing to the State or his county, or to any school district or road  
9 district in his county; also to prosecute all suits in his county against railroad  
10 or transportation companies, which may be prosecuted in the name of the People  
11 of the State of Illinois.

12       Fourth—To defend all actions and proceedings brought against his county  
13 or against any county or State officer, in his official capacity within his county.

14       Third—To commence and prosecute all actions and proceedings brought by  
15 any county officer in his official capacity.

16       Fifth—To attend the examination of all persons brought before any judge  
17 on *habeas corpus*, when the prosecution is in his county.

18       Sixth—To attend before justices of the peace and prosecute charges of felony  
19 or misdemeanor, for which the offender is required to be recognized to appear  
20 before a court of record, when in his power to do so.

21       Seventh—To give his opinion, without fee or reward, to any county officer  
22 and to justices of the peace in his county upon any question of law relating to any  
23 criminal or other matter, in which the people or the county may be concerned.

24       Eighth—To assist the Attorney General whenever it may be necessary, and  
25 in cases of appeal or writ of error from his county to the Supreme Court, to  
26 which it is the duty of the Attorney General to attend, he shall, a reasonable time  
27 before the trial of such appeal or writ of error, furnish the Attorney General  
28 with a brief, showing the nature of the case and the questions involved.

29 Ninth—To pay all moneys received by him in trust, without delay, to the of-  
 30 ficer who by law is entitled to the custody thereof.

31 Tenth—To perform such other and further duties as may, from time to time,  
 32 be enjoined on him by law.

33 Eleventh—To appear in all proceedings by collectors of taxes against delin-  
 34 quent tax payers for judgments to sell real estate, and see that all the necessary  
 35 preliminary steps have been legally taken to make the judgment legal and bind-  
 36 ing.

Sec. 6. Whenever the Attorney General or state's attorney is sick or absent  
 2 or unable to attend or is interested in any cause or proceeding, civil or criminal,  
 3 which it is or may be his duty to prosecute or defend, the court in which any such  
 4 cause or proceeding is pending may appoint some competent attorney to prose-  
 5 cute or defend such cause or proceedings; *and whenever it appears that the*  
 6 *state's attorney in any county has failed or neglected or refused to perform the*  
 7 *duties imposed upon him in section 5 of this Act, after demand has been made*  
 8 *upon him to perform such duties, that any person over the age of twenty-one*  
 9 *years, having knowledge of the fact of such failure, neglect or refusal to perform*  
 10 *the duties imposed upon him, shall be empowered to file a petition or complaint in*  
 11 *the nature of an information before any court of competent jurisdiction, set-*  
 12 *ting forth the facts relating to such failure, neglect or refusal of such state's at-*  
 13 *torney to perform his duties imposed upon him, and such information shall be*  
 14 *sworn to before some person or officer authorized to administer oath; and when-*  
 15 *ever such petition shall have been filed in any court of competent jurisdiction,*  
 16 *it shall be the duty of some judge of said court to issue process upon such in-*  
 17 *formation against such state's attorney in like manner as upon indictments and*

18 *information in other criminal proceedings, and it shall be the further duty of*  
19 *such judge to appoint some competent attorney, who shall not be of kin to such*  
20 *state's attorney, to prosecute such state's attorney upon such information, and*  
21 *such attorney, so appointed, shall have all the power and authority in relation*  
22 *to such causes or proceedings as the Attorney General or state's attorney would*  
23 *have had if present and attending to the same.*

Introduced by Mr. Lantz, January 23, 1907.

Read by title, ordered printed and to lie on the Speaker's table.

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## A BILL

for an act to amend section eight (8) of an act entitled "An Act to enable any city, town or village in this State to change its name," approved March 7, 1872, in force July 1, 1872.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: That section eight (8) of an act entitled "An Act to enable any city, town or village in this State to change its name," approved March 7, 1872, in force July 1, 1872, be and the same is hereby amended so as to read as follows:*

Sec. 8. If the name of any such city, town or village shall be changed contrary to or without complying with the provisions of this Act, such change shall be void and held for naught *in any court of competent jurisdiction in this State: Provided, however, That all proceedings instituted or acts done under such name as changed shall be valid and binding if the same would have been valid and binding if done under the old name.*



7      *All proceedings heretofore instituted or acts heretofore done by any cit*  
8      *town or village under the new name as changed, if the change shall be declar*  
9      *void, shall be held good and valid as if done and performed under this Act.*

Sec. 2.    *WHEREAS, An emergency exists, therefore this Act shall take effe*  
2      *and be in force from and after its passage and its approval by the Governor.*

1 Introduced by Mr. Lindly, January 23, 1907.

2 Read by title, ordered printed and to lie on the Speaker's table.

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## A BILL

For an act entitled "An Act to promote the safety and health of employees and passengers upon street railroads."

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That the term "street railroad" as used  
3 in this Act shall be construed and held to be any railroad over and upon which  
4 cars are operated by electricity or other motive power for the purpose of trans-  
5 porting passengers or freight, or both, upon, over, above or below the surface  
6 of any city, village or town of this State; and any such railroad extending  
7 through and beyond any such city, village or town, to any other city, village or  
8 town in this State, shall be known as an interurban railroad and shall be in-  
9 cluded within the meaning of "street railroad" as referred to and used in this  
Act.

Sec. 2. Every car operated by any street railroad in this State shall be  
equipped with a heating apparatus so that the temperature of every such car,

including that portion of the front or forward vestibule thereof, occupied by the operator of such car, during the months of November, December, January, February and March of each year, shall be maintained at a heat of not less than 50 degrees Fahrenheit: *Provided*, That whenever any such car is used wholly for the transportation of freight this section shall only apply to that portion of the front or forward vestibule occupied by the operator of such car.

Sec. 3. Every car operated by any street railroad in this State shall be equipped with the most approved known modern type of safety appliances, consistent with the practical operation of any such street railroad, including air brakes capable of bringing such car to a stop within a reasonable distance, and a proper sand equipment for sanding the rails of any such street railroad. It shall be unlawful for any cars to be operated by any street railroad in this State with running boards on either side thereof, or without aisles extending lengthwise through the center of every such car: *Provided*, That the requirements in this section relating to sanding equipments shall not apply to cars operated wholly on elevated railroads.

Sec. 4. Every car operated by any street railroad in this State over thirty (30) feet in length shall be equipped with double trucks of the most approved known type.

Sec. 5. Every car operated by any street railroad in this State for a distance and continuous run of over eighteen (18) miles shall provide and maintain a suitable water closet and a tank containing drinking water in each such car for the convenience of the traveling public: *Provided*, That this Act shall not apply to any interurban line until such line has been in operation for a period of six months: *Provided further*, That when any such interurban street railroad runs

7 and operates passenger cars in whole or in part, on or along public highways, or  
8 streets of any city, village or town, the use of such closets shall be subject to  
9 such rules and regulations as the local corporate authorities of such city, town  
10 or village may prescribe.

Sec. 6. No street railroad corporation or person shall run or permit to be  
2 run upon any such railroad any train of cars for the transportation of passen-  
3 gers unless there is placed upon each car of such train one conductor: *Provided,*  
4 *however,* That whenever any such train of cars is vestibuled according to the  
5 most approved known method this section shall not apply.

Sec. 7. Nothing in this Act shall be construed as a limitation upon, or an  
2 abridgment of, the police powers of any city, village or town in this State, or the  
3 local corporate authorities thereof, regarding the regulation and control of street  
4 railroads.

Sec. 8. Any street railroad company or any person operating or managing  
2 any street railroad in this State failing to comply with any provision of this Act  
3 shall be guilty of a misdemeanor, and on conviction thereof shall be fined not  
4 less than twenty-five dollars (\$25.00) and not to exceed one hundred dollars  
5 (\$100.00) or be imprisoned in the county jail not to exceed six months, or both, in  
6 the discretion of the court. Every day during which any street car is operated  
7 in violation of the provisions of this Act shall constitute a distinct and separate  
8 offense. It is hereby made the duty of the state's attorney of each county in this  
9 State to institute the necessary proceedings to enforce the provisions of this Act,  
10 a reasonable time, not to exceed six months commencing July 1, 1907, to be given  
11 to every street railroad company, or any person owning, operating or managing  
12 any street railroad to comply with the provisions of this Act.





- 1 Introduced by Mr. McNichols, January 23, 1907.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

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## A BILL

For an act to provide for the compilation, editing, publication and distribution of a commemorative and historical volume, to be entitled, "Illinois at Vicksburg," and making appropriations therefor.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That, for the purpose of the compilation,  
3 editing, publication and distribution of a commemorative and historical volume,  
4 to be entitled, "Illinois at Vicksburg," showing the services of Illinois troops  
5 during the campaign and siege of Vicksburg, Mississippi, in the year A. D. 1863,  
6 and also showing what a later generation of Illinoisans have done, from 1901 to  
7 1906, to commemorate the services of the Sons of Illinois in and during that mem-  
8 orable campaign and siege, by the erection of regimental monuments and mark-  
9 ers and a State monument, or Memorial Temple, in the National Military Park at  
10 Vicksburg, Mississippi, and to pay the expenses and cost thereof, the following  
11 provisions and appropriations are hereby enacted and made.

Sec. 2. That for carrying out the purposes of this Act the Illinois Vicksburg  
 2 Military Park Commission, created and appointed by and in pursuance of an act  
 3 entitled, "An Act to provide for the erection of monuments and markers to  
 4 commemorate the services and mark the positions of Illinois Volunteers in the  
 5 campaign and siege of Vicksburg, Mississippi, and making appropriation there-  
 6 for," approved May 14, 1903, in force July 1, 1903, is hereby authorized and em-  
 7 powered to compile, edit, publish and distribute, or cause to be compiled, edited  
 8 published and distributed, the said commemorative and historical volume mention-  
 9 ed in the first section of this Act; the said volume to contain the names of all Illi-  
 10 nois Soldiers and Sailors appearing upon the bronze tablets, or carved in stone;  
 11 upon the inner walls of the Illinois State Monument, or Memorial Temple, erected  
 12 in the National Military Park at Vicksburg, Mississippi, arranged in alphabetical  
 13 order, as nearly as shall be practicable, and stating the places from which  
 14 said soldiers and sailors enlisted, so that the same shall be a work of easy re-  
 15 ference for them, and for their descendants in future years; the said volume to be  
 16 so illustrated that it will be in the nature of a monument, in harmony with the  
 17 spirit of the State monument, or Memorial Temple, erected by the People of Illi-  
 18 nois in the National Military Park at Vicksburg, Mississippi; and the same shall  
 19 also contain all the Acts of the General Assembly of the State of Illinois authorizing  
 20 the erection of said regimental monuments and markers and State monument,  
 21 or Memorial Temple, together with a substantially complete statement of the  
 22 proceedings of said Illinois-Vicksburg Military Park Commission in the erection  
 23 thereof, and of the amounts of money expended in that behalf; and the same  
 24 shall also contain such other historical facts, information, matter and things, re-  
 25 lating to the campaign and siege of Vicksburg, Mississippi, in the year A. D.  
 26 1863, during the Civil War, and connected therewith, and relating to the services

of Illinois Soldiers and Sailors thereon, and Commission shall deem desirable to be inserted in said volume.

Sec. 3. The said Commission, mentioned in the second section of this Act, are hereby authorized and empowered to contract for the compilation, editing, publication and distribution of said commemorative and historical volume, mentioned in the first section of this Act, with such competent and responsible persons as said Commission may select for the several respective parts of said work; and the person or persons employed to do the work of the compilation of the matter to be contained in said volume, and the editing and distribution thereof, may, or may not, in the discretion of said Commission, be a member or members of said Commission, any law of this State to the contrary notwithstanding. And said Commission shall make full report to the Governor of its acts and doings under this Act.

Sec. 4. That, for carrying out the purposes of this Act, so much of the appropriations made and provided in and by said act mentioned in the second section of this Act, and in and by another Act entitled "An Act to provide for the reappropriation of the unexpended balance of funds appropriated in and by an act entitled 'An Act to provide for the erection of monuments and markers to commemorate the services and mark the positions of Illinois Volunteers in the campaign and siege of Vicksburg, Mississippi, and making appropriation therefor,' approved May 14, 1903, in force July 1, 1903; and also to make additional appropriation for the completion of said monuments and markers mentioned in said act, and for the dedication thereof, and for the compilation and publication of a report thereof and of the acts and doings of the Commission thereby created," approved May 18, 1905, in force July 1, 1905, as shall not be expended on or before the thirtieth day of September, A. D. 1907, is hereby reappropria-

14 ted from the State treasury of Illinois, and devoted to and for the purposes speci-  
 15 fied in this Act, after the actual expenses incurred by the members of said Com-  
 16 mission in the performance of their duties shall first be paid out of the same, and  
 17 the same shall be expended and paid out in accordance with the provisions of this  
 18 Act; and for the purpose of providing sufficient funds for the payment of the  
 19 total expenditures contemplated in and by this Act, there is now hereby ap-  
 20 propriated the further and additional sum of five thousand dollars (\$5,000.00) to  
 21 be paid out of moneys in the State treasury not otherwise appropriated; and the  
 22 said moneys hereinabove mentioned and appropriated shall be expended by and  
 23 under the direction of said Commission, and paid out in the manner hereinafter  
 24 in this Act specified.

Sec. 5. The Auditor of Public Accounts is hereby authorized and directed  
 2 to draw his warrants on the Treasurer, on the presentation of proper vouchers  
 3 certified by said Commission and approved by the Governor, for the payment  
 4 of the cost and expenses of the compilation, editing, publication and distribution  
 5 of said commemorative and historical volume, in accordance with the terms and  
 6 provisions of such contract or contracts as shall be made by said Commission in  
 7 pursuance of this Act, and also for the payment of the actual expenses of the  
 8 members of said Commission incurred in the performance of their duties under  
 9 this Act.

Sec. 6. All laws, and parts of laws, in conflict with the provisions of this  
 2 Act, or with any of the provisions hereof, are hereby repealed.

Sec. 7. WHEREAS, An emergency exists, therefore this Act shall take effect  
 2 and be in force from and after its passage.



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- 1 Introduced by Mr. McNichols, January 23, 1907.
  - 2 Read by title, ordered printed and referred to Committee on Appropriations.

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## A BILL

For an Act to provide for the appointment of an Inspector of Illinois Monuments, and to prescribe his duties, and to provide for the correction of errors or omissions in the inscriptions upon or within such monuments, and making appropriations therefor.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Inspector of Illinois Monuments shall be appointed by the Governor; whose duty it shall be to visit and inspect the monuments erected by the State of Illinois outside of its boundaries, once in each year, and to report their condition to the Governor, to the end that the necessary steps may be taken for their care and preservation; and also to report to the Governor any errors or omissions in the inscriptions upon or within such monuments, to the end that such errors may be corrected and such omissions may be supplied thereon. Such Inspector shall receive his actual travel-



ing expenses, and the sum of ten dollars (\$10.00) per day for each day actually engaged in the performance of his duties under this Act, the total expenditures, however, shall not exceed six hundred dollars (\$600.00) in any year.

Sec. 2. That, for carrying out the purposes of this Act, relating to the inspection of such monuments and making reports to the Governor as mentioned in the first section of this Act, there is now hereby appropriated the sum of six hundred dollars (\$600.00) per annum, or so much thereof as may be necessary, for the fiscal years 1907 and 1908, to be paid out of moneys in the State treasury not otherwise appropriated, upon bills of particulars certified by said Inspector and approved by the Governor; and the Auditor of Public Accounts is hereby authorized and directed to draw his warrants on the State Treasurer for the payment thereof. And for carrying out the purposes of this Act, relating to the correction of errors or omissions in the inscriptions upon or within such monuments, the Governor is hereby authorized and empowered to employ, or cause to be employed, some competent and responsible person to correct such errors and supply such omissions in such inscriptions, for such compensation as may be agreed upon in that behalf; and there is now hereby appropriated, for the cost and expense thereof, the sum of four hundred dollars (\$400.00), or so much thereof as may be necessary, for the fiscal years 1907 and 1908, to be paid out of moneys in the State treasury not otherwise appropriated, upon bills of particulars certified by the person who shall do said work and approved by the Governor; and the Auditor of Public Accounts is hereby authorized and directed to draw his warrants on the State Treasurer for the payment of the same.

- 1 Introduced by Mr. McRoberts, January 23, 1907.
- 2 Read by title, ordered printed and referred to Committee on Banks and Bank-  
ing, when appointed.

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## A BILL

For an act to amend Section 1 of an act entitled "An Act for the protection of bank  
depositors," approved May 13, 1903, in force July 1, 1903.

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*Be it enacted by the People of the State of Illinois, represented in the Gen-  
eral Assembly:* That Section 1 of an act entitled "An Act to amend Section 1 of an  
act entitled 'An Act for the protection of bank depositors, approved June 4, 1879, in  
force July 1, 1879,' approved May 13, 1903, in force July 1, 1903," be and the same is  
hereby amended so as to read as follows, to-wit:

SECTION 1. That if any banker or broker, or person or persons doing a  
2 banking business, or any officer of any banking company, or incorporated bank  
3 doing business in this State, shall receive from any person or persons, firm,  
4 company or corporation, or from any agent thereof, not indebted to said banker,  
5 broker, banking company or incorporated bank, any money, check, draft, bill of

6 exchange, stocks, bonds, or other valuable thing which is transferable by de-  
7 livery, when at the time of receiving such deposit, said banker, broker, banking  
8 company or incorporated bank is insolvent, whereby the deposit so made shall be  
9 lost to the depositor, said banker, broker or officer, so receiving such deposit,  
10 shall be deemed guilty of embezzlement, and upon conviction thereof, shall be  
11 fined, in a sum double the amount of the sum so embezzled and fraudulently  
12 taken, and in addition thereto, may be imprisoned in the State penitentiary, not  
13 less than one, nor more than *five* years. *The failure, suspension, or involuntary*  
14 *liquidation of the banker, broker, banking company, or incorporated bank, within*  
15 *thirty days from and after the time of receiving such deposit, shall be prima*  
16 *facie evidence of an intent to defraud, on the part of such banker, broker or offi-*  
17 *cer of such banking company or incorporated bank.*

- 
- 1 Introduced by Mr. Reynolds, January 23, 1907.
  - 2 Read by title, ordered printed and referred to Committee on Judiciary when appointed.

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## A BILL

For an act to make it unlawful for any person to wear the badge or emblems of the United Spanish War Veterans' Association, or to use the same to obtain aid or assistance thereby from any person and to provide a penalty for the violation thereof.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That it shall be unlawful for any person to wear or use the badge or any of the emblems of the United Spanish War Veterans' Association to obtain aid or assistance thereby from any person, unless he shall have been honorably discharged and entitled to wear or use the same under the rules and regulations of the United Spanish War Veterans' Association.

Sec. 2. Any person convicted of a violation of any of the provisions of section one of this Act shall be deemed by the court guilty of a misdemeanor, and shall be fined in any sum not less than ten dollars and not more than two hundred dollars.





- 1 Introduced by Mr. Roos, January 23, 1907.
- 2 Read by title, ordered printed and referred to Committee on Judicial Department  
and Practice, when appointed.

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## A BILL

For an act to amend Sections 10, 15 and 18 of Chapter 31, entitled "An Act to Revise the Law in Relation to Coroners," approved February 6, 1874, in force July 1, 1874, as amended by Act approved May 31, 1879, in force July 1, 1879.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That Sections 10, 15, and 18 of Chapter 31, entitled "An Act to Revise the Law in Relation to Coroners," approved February 6, 1874, in force July 1, 1874, as amended by Act approved May 31, 1879, in force July 1, 1879, be amended to read as follows; and that an additional section numbered 25 be added:

Sec. 10. Every Coroner, whenever and as soon as he knows or is informed that the dead body of any person is found, or is lying within his county, supposed to have come to his or her death by violence, casualty or any undue means, he shall

4 repair to the place where the dead body is, and take charge of the same and forth-  
 5 with summon a jury of six good and lawful men of the neighborhood, where the  
 6 body is found or lying, to assemble at the place where the body is at such time as  
 7 he shall direct, and upon view of the body, to inquire into the cause and manner  
 8 of the death. *Where, however, after said jury has viewed said body and the inquest*  
 9 *has been continued by the Coroner to a future date, and some of said jurors not*  
 10 *exceeding three, fail to appear at said inquest because of death, moving from State*  
 11 *or other sufficient reasons, it shall be lawful for the Coroner in such case to fill said*  
 12 *vacancy or vacancies with good and lawful men of the same neighborhood. It shall*  
 13 *not be necessary in such case to exhume the body in order that it may be viewed*  
 14 *by said substituted jurors.*

Sec. 15. The Coroner shall have power to summon or cause to be summoned  
 2 and compel the attendance of all such witnesses whose testimony may probably be  
 3 requisite to the proving of any fact or circumstance relating to the object of such his  
 4 inquest, and to administer to such witnesses the proper oath. *The Coroner shall*  
 5 *have power to compel witnesses to answer any and all questions put to him relative*  
 6 *to the subject matter of the inquest, and if any such witness shall refuse to answer*  
 7 *such questions, said witness shall, upon conviction, be fined not exceeding \$50.00,*  
 8 *or imprisoned in the County Jail, not exceeding thirty days, or both.*

Sec. 18. The Coroner shall cause the testimony of each witness who may be  
 2 sworn and examined at any inquest to be written out and signed by said witness,  
 3 together with his occupation and place of residence, which testimony shall be filed  
 4 with said Coroner in his office, and carefully prepared. *It shall be discretionary*  
 5 *with the Coroner to have all testimony taken in short hand minutes by a com-*  
 6 *petent person. In such case the Coroner shall carefully file and preserve a trans-*  
 7 *cript of such evidence when certified to by said person as being a true and correct*  
 8 *copy of the original minutes taken at said inquest.*

Sec. 25. No undertaker or other person shall embalm or inject the dead  
2 body of any person with any fluid or preparation of any kind, before obtaining  
3 permission from the Coroner, where such body is the subject of a Coroner's in-  
4 quest. A violation of the foregoing section shall, upon conviction, be punishable by  
5 a fine of not exceeding \$50.00.



- 1 Introduced by Mr. Roos, January 23, 1907.
- 2 Read by title, ordered printed and referred to Committee on License, when appointed.

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## A BILL

For an act to amend an act entitled "An Act providing for the regulation of the embalming and disposal of dead bodies, for a system of examination, registration and licensing of embalmers, and imposing penalties for the violation of any of its provisions," approved May 13, 1905, in force July 1, 1905, by adding an additional section thereto, numbered Section 9, as follows:

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an act entitled "An Act providing for the regulation of the embalming and disposal of dead bodies, for a system of examination, registration and licensing of embalmers, and imposing penalties for the violation of any of its provisions," approved May 13, 1905, in force July 1, 1905, be amended by adding an additional section thereto, numbered Section 9, as follows:



Sec. 9. *If any undertaker or other person embalms with, injects or places*  
2 *upon any dead human body, any fluid or preparation of any kind which contains*  
3 *strychnine or arsenic, he shall be fined not exceeding \$50.00 (fifty dollars) for*  
4 *each offense.*

- 1 Introduced by Mr. Rose, January 23, 1907.
- 2 Read by title, ordered printed and referred to Committee on Railroads, when appointed.

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## A BILL

For an act to amend Section one (1) of an act entitled "An Act compelling railroad companies in this State to build and maintain depots for the comfort of passengers and for the protection of shippers of freights at towns and villages on the line of their roads," approved May 23, 1877.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That Section one of an act entitled "An Act compelling railroad companies in this State to build and maintain depots for the comfort of passengers and for the protection of shippers of freight at towns and villages on the lines of their roads," approved May 23, 1877, in force July 1, 1877, be and the same is hereby amended to read as follows;

Sec. 1. That all railroads in this State carrying passengers or freight where  
2 such railroad companies are in the practice of receiving and delivering passen-  
3 gers or freight, at all towns and villages, *where* the freight shipped from such  
4 town or village shall exceed two hundred (200) cars per annum.

- 1 Introduced by Mr. Troyer, January 23, 1907.
- 2 Read by title, ordered printed and referred to Committee on Corporations, when  
appointed.

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## A BILL

For an act for the protection of trainmen and to regulate the stringing of wires, electric or other, over railroad tracks, and relative to the maintenance of such wires heretofore so strung.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That it shall hereafter be unlawful for  
3 any corporation or person to string any wire, electric or other, over the tracks  
4 of any railroad company except any such places and in such manner as shall be  
5 approved by the Railroad and Warehouse Commission, and any corporation or  
6 person desiring to so string any wire shall give the railroad company notice in  
7 writing of the place and the manner in which it desires to string the same, and  
8 the place where and the time when it will apply to the Railroad and Warehouse  
9 Commission for approval as above required, which notice shall be served at least  
0 ten days before the time of hearing of such application.

Sec. 2. Said Railroad and Warehouse Commission shall also, as soon as possible after the passage of this Act, either by personal examination or otherwise, obtain information as to all places where the tracks of railroads are crossed by wires strung over said tracks and wherever in its judgment such wires should be raised to a greater height or other thing done with reference thereto, to guard against accidents, shall order such change or changes to be made, and shall apportion any expense incident thereto between the companies or persons affected as may be deemed just and reasonable: *Provided*, That in no case shall the height of any wire strung across such railroad tracks be less than twenty-five feet, excepting trolley wires, which shall not be less than twenty-two feet from the top of said railroad tracks.

Sec. 3. It shall be the duty of every corporation and person to whom an order made by the Railroad and Warehouse Commission under this Act shall be directed, to comply with such order in accordance with its terms, and for any neglect to so comply therewith, any such corporation or person shall be liable to a penalty of one hundred dollars and to a like penalty for every ten days during which said neglect shall continue. Any such penalty may be recovered in an action of assumpsit brought in the name of the people of this State, and it shall be the duty of the prosecuting attorney of the proper county to bring any such action at the request of the Railroad and Warehouse Commission.



- 1 Introduced by Mr. Werts, January 23, 1907.
- 2 Read by title, ordered printed and referred to Committee on Farm Drainage,  
when appointed.

## A BILL

For an act to amend Section 15a of an act to provide for drainage for agricultural and  
sanitary purposes, approved June 27, 1885, in force July 1, 1885.

SECTION 15a. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Upon the organization of any Drainage  
3 District as provided in Section 15 of this Act, the duties and obligations of the  
4 Commissioners of Highways, as said Drainage Commissioners of such district,  
5 shall cease as soon as Drainage Commissioners shall have been elected and  
6 qualified, as herein provided. It shall be the duty of the town clerk to call an  
7 election in each district in his township, including the new districts organized  
8 during the previous year, by giving ten (10) days' notice that an election will  
9 be held (specifying time and place). said notices shall be posted in three (3)  
0 conspicuous places in said districts. Elections shall be held in the several Drain-

age Districts organized under this Act on the second Saturday in March of each year, between the hours of 2 and 6 o'clock P. M.

At the first election in each district, there shall be elected by ballot three (3) commissioners, one for one year, one for two years, and one for three years, and annually thereafter, one Drainage Commissioner shall be elected by ballot who shall hold his office three years, and until his successor is elected and qualified. Every adult owner of land in the district, whether residing within or without the district, shall be a voter and may cast his ballot in person or by any qualified elector, authority for so doing be given in writing signed by the voter, and if a resident of the county in which the district or any part thereof lies, eligible to the office of Drainage Commissioner. Said elections shall be conducted after the manner provided by law governing school elections. Commissioners of Highways shall act as judges and clerks of the first election held in any district; thereafter the Drainage Commissioners shall act as judges and clerks of elections in their respective districts. If said Commissioners be not present, it shall be competent for the electors present to select judges and clerks of said election. Returns of said election shall be made to the town clerk, who shall record the same in a book kept for that purpose. Said Commissioners shall take the oath of office before some officer authorized to administer oaths. Said Commissioners shall be known by the corporate name of Drainage Commissioners of.....District No. ....of the town of..... County of ..... State of Illinois, and by that name shall be a body politic and corporate, and may sue and be sued, plead and be impleaded, contract and be contracted with, and shall be the corporate authority of their respective districts. Before entering upon their duties as herein provided, the Drainage Commissioners shall take and subscribe an oath substantially as follows, viz:

37 We, ..... Drainage Commissioners of Drainage District No. ....  
 38 do solemnly swear (or affirm) that we will faithfully and impartially perform the  
 39 duties required of us to the best of our understanding and judgment and make as-  
 40 sessment of damages and benefits (or benefits as the case may be), in favor of or  
 41 against the land in said district, according to law.

Sec. 15½a. WHEREAS, An emergency exists, therefore this Act shall take ef-  
 2 fect and be in force from and after its passage.



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- 1 Introduced by Mr. Young, January 23, 1907.
  - 2 Read by title, ordered printed and referred to Committee on License, when  
appointed.

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## A BILL

For an act to provide for the licensing of saloons, dramshops and beer depots.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That all license money obtained by the  
3 licensing of saloons, dramshops and beer depots, shall hereafter be divided  
4 equally between the school fund and the county treasury of the county wherein  
5 said saloon, dramshop or beer depots is granted license; and that, said one-half of  
6 such money which shall be paid into the school fund, shall and is hereby made a  
7 part of the reserve fund, and shall be subject to the same laws and usages as now  
8 applies to such fund.

9 And that said one-half of such money which shall be paid into the county  
0 treasury shall become a part of the fund created to meet the expense of holding  
1 courts in said county.

Sec. 2. Any laws or parts of laws conflicting herewith are hereby repealed.



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A BILL

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- 1 Introduced by Mr. Allen, January 24, 1907.
- 2 Read by title, ordered printed and referred to Committee on Elections, when appointed.

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## A BILL

For an Act granting women the right to vote for presidential electors and certain other officers, and to participate and vote in certain matters and elections.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That all women, citizens of the United  
3 States, above the age of twenty-one years, having resided in the State one year,  
4 in the county ninety days, and in the election district thirty days, next preceding  
5 any election therein, shall be allowed to vote at such election for presidential elec-  
6 tors, member of the State Board of Equalization, clerk of the Appellate Court,  
7 county collector, county surveyor, members of the board of assessors, members  
8 of board of review, sanitary district trustees and for all officers of cities, villages  
9 and towns (except police magistrates) and upon all questions or propositions

10 submitted to a vote of the electors of such municipalities or other political di-  
11 visions of this State.

Sec. 2. All such women may also vote for the following township officers:

2 Supervisor, town clerk, assessor, collector and highway commissioner and may  
3 also participate and vote in all annual and special town meetings in the township  
4 in which such election district shall be.

Sec. 3. Separate ballot boxes and ballots shall contain the names of the  
2 candidates for such offices which are to be voted for and the special questions  
3 submitted as aforesaid, and the ballots cast by women shall be canvassed with  
4 the other ballots cast for such officers and on such questions. At any such elec-  
5 tions where registration is required, women shall register in the same manner  
6 as male voters.

- 1 Introduced by Mr. Allen, January 24, 1907.
- 2 Read by title, ordered printed and referred to Committee on Judiciary, when ap-  
pointed.

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## A BILL

For an act making the stealing of all kinds of poultry a penitentiary offense.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That the stealing of all kinds of poultry,  
3 chickens, turkeys, geese, ducks, pigeons, peacocks, a penitentiary offense.

Sec. 2. Whoever shall be found guilty of violating section one of this Act  
2 shall be liable to be sentenced to the penitentiary of the State of Illinois for a  
3 period of not less than one year or more than three years for each and every  
4 offense.





Amendments to House Bill No. 91, adopted by the House April 19, 1907.

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## AMENDMENT NO. 1.

Amend House Bill No. 91 by striking out all after the enacting clause and inserting the following: "that any person convicted of stealing poultry as chickens, turkeys, geese, ducks, tame pigeons or peacocks shall, for the first offense, be confined in the county jail or sentenced to labor in the work-house of the county, city or town where the conviction is had or on the streets or alleys of the cities or on the public roads in the county or to such labor under the direction of the sheriff as the county board may provide, for not exceeding one year and fined not exceeding one hundred dollars.

Sec. 2. In the case of a second conviction of the offense of stealing poultry  
2 hereinbefore designated in section 1 of this Act, the punishment shall be impris-  
3 onment in the penitentiary of the State of Illinois for a period of not less than  
4 one year or more than three years for each and every offense.



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- 1 Introduced by Mr. ApMadoc, January 24, 1907.
  - 2 Read first time, ordered printed and referred to Committee on Judiciary, when appointed.

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## A BILL

For an act to amend section eleven (11) of division thirteen (XIII) of an act entitled "An Act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: Section eleven (11) of division thirteen (13) of an act entitled "An Act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, hereby is amended to read as follows: Juries in all criminal cases shall be judges of the fact only, and not of the law, but shall take the law of the case from the court.*



Introduced by Mr. Durfee, January 24, 1907.

Read first time, ordered printed and referred to Committee on Fees and Salaries,  
when appointed.

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## A BILL

for an act to amend section 18 of an act entitled "An Act concerning fees and salaries, and to classify the several counties of this State with reference thereto, approved March 29, 1872, in force July 1, 1872," title as amended by act approved March 28, 1874, in force July 1, 1874.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 18 of an act entitled "An Act concerning fees and salaries and to classify the several counties of this State with reference thereto, approved March 29, 1872, in force July 1, 1872, be and the same is hereby amended to read as follows: That the fees of the clerk of the county court (county clerk) shall be

For taking proof of any will, or testament, and for filing and approving any petition for letters testamentary, or of administration, guardianship or conser-



9 vatorship, preliminary to the issuance of such letters, in counties of the first  
10 class, one dollar, and in counties of the second class, one dollar.

11 For issuing letters testamentary, of administration, of guardianship or of  
12 conservatorship and for the issuance, entering and filing and recording any and  
13 all process, files, reports, papers or other instruments pertaining to the execu-  
14 tion or administration of the estate of any deceased person, or of the guardian-  
15 ship of any minor, or the conservatorship of any defective person in each case,  
16 nine dollars in counties of the first class, and nine dollars in counties of the  
17 second class.

18 For recording each will, fifty cents, and ten cents for each additional one  
19 hundred words, when the instrument contains more than five hundred words, in  
20 counties of the first and second class.

21 In all actions at law, suits or proceedings, either civil or criminal, in which  
22 the county court has concurrent jurisdiction with the circuit court, and for which  
23 services the fees of the circuit clerk are fixed at a sum total, the fee of the clerk  
24 of the county court shall be the same as those fixed for the circuit clerk and as  
25 classified therein.

26 For each official copy of any process, file, record or other instrument of and  
27 pertaining to his office, ten cents for each one hundred words, and twenty-five  
28 cents additional for certifying and sealing the same, in counties of the first and  
29 second class.

30 For officially certifying and sealing each copy of any process, file, record or  
31 other instrument of and pertaining to his office, thirty-five cents, in counties of  
32 the first and second class.

For swearing any person to an affidavit, when the same has no relation to any matter pending in the county court, twenty-five cents, in counties of the first and second class.

For issuing each license in all matters except where the fee for the issuance thereof is otherwise fixed, one dollar, in counties of the first and second class.

For issuing each marriage license, the certificate thereof and recording the same, one dollar in counties of the first and second class.

For taking and certifying depositions, ten cents for each one hundred words, in counties of the first and second class.

For taking and certifying acknowledgments to any instrument, twenty-five cents, in counties of the first and second class.

For taking proof in cases of estrays and granting certificates of the same, twenty-five cents, in counties of the first and second class.

For registering each certificate transmitted to him by a justice of the peace, in cases of estrays, ten cents, in counties of the first and second class.

For advertisement in such cases, including a copy for newspaper publication, fifty cents, in counties of the first and second class.

For trying and sealing weights and measures by county standard, fifty cents, in counties of the first and second class.

For cancelling tax sale, and issuing and sealing certificate of redemption, twenty-five cents, in counties of the first and second class.

54       The following fees shall be audited and allowed by the county board in coun-  
 55 ties of the first and second class and paid from the county treasury:

56       For making a transcript of taxable property for the assessor, two cents for  
 57 each tract of land or town lot.

58       For copying the assessor's return of taxable property on the collector's  
 59 books, and extending valuation by assessor, and State and county boards of  
 60 equalization, in separate columns, and computing and extending State and  
 61 county tax therein, for each tract of land, each town lot and each person's per-  
 62 sonal property, five cents.

63       For computing and extending school tax, and each other tax or special as-  
 64 sessment, on each tract or town lot or valuation of personal property, for each  
 65 extension, one cent.

66       For examining and correcting the assessor's return; for making abstracts  
 67 of same for the board of supervisors and State Auditor; for making abstracts of  
 68 taxes levied on collector's books; and for auditor's office, and for computing the  
 69 accounts of the county treasurer with the county, and making settlement with  
 70 such treasurer, the county board shall allow such reasonable compensation as  
 71 may be just and right for such services.

72       For entering the list of lands and town lots returned by the State Auditor,  
 73 on the tract book, for each tract or town lot, two cents.

74       For attending the sessions of the county board, or county court, three dollars  
 75 per day.

76 For recording proceedings of the county board in county business, for every  
77 one hundred words, ten cents.

78 For recording miscellaneous instruments and papers, required by law to be  
79 recorded on the county records, for every one hundred words, ten cents.

80 For issuing each certificate of appointment or commission, the fee for which  
81 is not otherwise fixed by law, twenty-five cents.

82 No fees shall be allowed to county clerks for making election returns, ab-  
83 stracts of elections, or for other county business not otherwise provided for in  
84 this Act; but the county board shall allow for such service an *ex officio* fee, not in  
85 excess of one hundred dollars per annum.

86 The following fees shall be allowed for services attending the sale of land  
87 for taxes, and shall be charged as costs against the delinquent property and be  
88 collected with the taxes thereon:

89 For making lists of delinquent lands and town lots for judgment, for each  
90 tract and town lot, three cents.

91 For making lists of delinquent lands and town lots on precept and sale and  
92 redemption records, for each tract and town lot, three cents, including service  
93 thereon.

94 For services in attending the tax-sale and issuing certificates of sale and seal-  
95 ing the same, for each tract or town lot sold, twenty-five cents.

96 For making list of delinquent lands and town lots sold, to be filed with the  
97 State Auditor, three cents.





- 1 Introduced by Mr. Califf, January 24, 1907.
- 2 Read first time, ordered printed and referred to Committee on Roads and Bridges  
when appointed.

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## A BILL

For an act to amend sections three and four of an act entitled "An Act to protect persons and property from danger from steam engines on public highways," approved June 26, 1885, in force July 1, 1885.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That sections three and four of an act en-  
3 titled "An Act to protect persons and property from danger from steam en-  
4 gines on public highways," approved June 26, 1885, be amended to read as fol-  
5 lows:

Sec. 3. It shall be the duty of highway commissioners to provide all  
2 bridges and culverts now constructed or hereafter to be constructed on any  
3 public highway with good substantial sills under the deck of all such bridges or  
4 culverts, so that such sills shall be immediately under the wheels of traction en-

gines when such engines are driven over such bridges or culverts, and also with plank not less than twelve inches wide and three inches thick made fast on top of the deck of such bridges or culverts, and immediately over the aforesaid sills, and to be laid continuously from one edge of the deck to the other edge, and lengthwise with the street or public highway.

Sec. 4. Any owner of a steam engine who, by himself, agent or employee, violates the provisions of sections one or two of this Act, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall, for each offense, be fined not less than ten dollars nor more than fifty dollars, to be recovered before any court of competent jurisdiction, and shall be liable to all damages that may be sustained by persons or property by reason of his failing to comply with the provisions of this Act.

- 1 Introduced by Mr. McGoorty, January 24, 1907.
- 2 Read first time, ordered printed and referred to Committee on Judiciary when appointed.

## A BILL

For an Act concerning the manner of **commencing** and conducting the prosecution of criminal offenses.

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* All prosecutions for the violation of any  
3 criminal statute hereafter begun, commenced or instituted, in any court of record  
4 in this State, shall be by an information in writing filed in the name of the  
5 state's attorney of the proper county and signed by him, which said information  
6 shall set forth and contain the criminal offense alleged to have been committed  
7 with the same certainty as was heretofore required in an indictment for the  
8 same offense and which said information shall have endorsed thereon the names  
9 of the witnesses upon whose evidence such information is found.

Sec. 2. Upon the filing of such information in the office of the clerk of the  
2 proper court the procedure upon such an information shall be in all things the

3 same as was heretofore the procedure upon the filing and recording of an in-  
 4 dictment or information. The clerk of the court in which such information is  
 5 filed shall, in case the accused is not in the custody of the sheriff upon said  
 6 charge, issue a *capias* for the arrest of the accused and place the same in the  
 7 hands of the sheriff for service. Upon the filing of such information, if the of-  
 8 fense is bailable, the court shall endorse upon such information the amount of  
 9 bail required.

Sec. 3. No information shall be filed except in a case where the accused has  
 2 had a preliminary examination before a justice of the peace, police magistrate  
 3 or other committing magistrate, unless such preliminary examination is waived  
 4 by the accused, or the defendant is a corporation, or a fugitive from justice: *Pro-*  
 5 *vided, however,* On written application by the state's attorney to the court, the  
 6 court may give leave to file an information in a case where the accused has not  
 7 had a preliminary examination upon the court being satisfied by proper evi-  
 8 dence that the interest of justice will be better subserved if leave be given to the  
 9 state's attorney to file such information without the accused being given a pre-  
 10 liminary examination.

Sec. 4. When any accused person shall have had a preliminary hearing and  
 2 has been held to bail to answer such charge and has been bound over to the  
 3 proper court and such accused person has not given or furnished bond and is in  
 4 custody, the state's attorney shall, within not less than thirty days thereafter  
 5 file in the proper court an information, and if no information is filed within such  
 6 period of thirty days, such accused person being in custody shall be entitled to  
 7 his liberty. If the state's attorney shall, upon examination of the facts, be of  
 8 the opinion that the person thus imprisoned ought not to be further prosecuted



9 and that no information should be filed, he shall forthwith file with the clerk of  
 10 the court a statement in writing that the person in custody is to be discharged, and  
 11 it shall thereupon be the duty of the clerk to forthwith issue an order to the per-  
 12 son having the custody of the accused to set him at liberty. If any person accused  
 13 of any criminal offense has given bail to answer said charge, the state's attor-  
 14 ney shall within sixty days from the date of giving bail file an information  
 15 against such person with the clerk of the proper court, or if no such informa-  
 16 tion be filed within that time the state's attorney shall file a statement in writing  
 17 that the charge against the accused is dismissed, and the court shall enter the  
 18 order of dismissal.

Sec. 5. If any person shall feel himself aggrieved by reason of the state's  
 2 attorney of the proper county failing to file an information within twenty days  
 3 from the time that an accused person has been bound over to the proper court  
 4 to answer for an alleged criminal offense, such person aggrieved may make ap-  
 5 plication in writing under oath to the court having jurisdiction of the offense  
 6 for a rule on the state's attorney to show cause why he should not file such in-  
 7 formation against the person accused, whereupon the court shall forthwith pro-  
 8 ceed to hear evidence in the matter, and if the court be satisfied that such infor-  
 9 mation should be filed, such court shall enter a rule upon the state's attorney  
 10 directing him to file such information within not less than five days from the  
 11 date of the issuance of such rule, and if such state's attorney within said five  
 12 days shall fail to file such information the court may appoint some discreet  
 13 member of the bar as state's attorney for the purpose of filing such informa-  
 14 tion, whose duty it shall be within five days to file such information as special  
 15 State's attorney in such cause, and upon the filing of such information with the



16 clerk of the proper court, the same proceedings shall be had upon such informa-  
 17 tion as though the same had been filed in the name of the state's attorney.

Sec. 6. No information shall upon motion or request of the state's attorney  
 2 be *nolle prosequied* or dismissed except with the consent of the court having ju-  
 3 risdiction of the subject matter, and the court shall thereupon order entered of  
 4 record the reasons why such information is *nolle prosequied* or dismissed.

Sec. 7. Wherever the word indictment appears or is found in any statute  
 2 of this State, the same shall be construed, held to mean and have the same effect  
 3 as though the word information were substituted therefor, and the word indict-  
 4 ment shall hereafter be held to mean and have the same effect as the word in-  
 5 formation.

Sec. 8. The grand jury is hereby abolished.

Sec. 9. This Act, or any provision thereof, shall not to be held or con-  
 2 strued to prevent the filing of informations by any person as is now allowed by  
 3 law to be filed in the Municipal Court of Chicago, or any other court of record,  
 4 nor to interfere in any way with the manner of commencing and prosecuting  
 5 any criminal offense by information as is now allowed by law.

Sec. 10. All acts and parts of acts inconsistent with any provisions of this  
 2 Act are hereby repealed.

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- 1 Introduced by Mr. McGoorty, January 24, 1907.
- 2 Read first time, ordered printed and referred to Committee on Miscellaneous  
Subjects, when appointed.
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## A BILL

For an Act to provide against the evils resulting from the traffic in certain narcotic  
drugs, and to regulate the sale thereof.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That it shall be unlawful for any person,  
3 firm or corporation to sell, furnish or give away any cocaine, alpha or beta eu-  
4 caine, codeine, opium, morphine, heroin, chloral hydrate, or any salt or com-  
5 pound or derivative of any of the foregoing substances, or any preparation or  
6 compound containing any of the foregoing substances, or their salts, compounds  
7 or derivatives, except upon the original written order or prescription of a law-  
8 fully authorized practitioner of medicine, dentistry, or veterinary medicine,  
9 which order or prescription shall be dated, and shall bear the name of the person  
10 for whom prescribed, or, if ordered by a practitioner of veterinary medicine,

11 shall state the kind of animal for which ordered, and shall be signed by the  
 12 person giving the prescription or order. Such written order or prescription  
 13 shall be dated, and shall have the name of the patient written upon it, and shall  
 14 be retained on file by the person, firm or corporation who shall compound or  
 15 dispense the articles ordered or prescribed, and it shall not be again compound-  
 16 ed or dispensed, except upon the written order of the original prescriber for  
 17 each and every subsequent compounding or dispensing. No copy or duplicate  
 18 of such written order or prescription shall be made or delivered to any person,  
 19 but the original shall at all times be open to inspection by the prescriber and  
 20 properly authorized officers of the law.

21 *Provided, however,* That the above provision shall not apply to prepara-  
 22 tions containing not more than two grains of opium or not more than one-fourth  
 23 grain of morphine, or not more than one-fourth grain of heroin, or not more  
 24 than one-fourth grain of codeine, or not more than ten grains of chloral hydrate,  
 25 in one fluid ounce, or, if a solid preparation, in one avoirdupois ounce: *Provid-*  
 26 *ed, also,* That the above provision shall not apply to preparations containing  
 27 opium and recommended and sold in good faith for diarrhoea and cholera, each  
 28 bottle or package of which is accompanied by specific directions for use, and a  
 29 caution against habitual use, nor to powder of ipecac and opium, commonly known  
 30 as Dover's Powder, nor to liniments or ointments when plainly labeled "for ex-  
 31 ternal use only." *And Provided also,* That all preparations which are exempt  
 32 from the provisions hereof shall be sold only in bottles or packages on each of  
 33 which is plainly marked the amount of morphine or opium contained in said  
 34 preparation. *Provided, further,* That the provisions of this section shall not  
 35 apply to sales at wholesale by jobbers, wholesalers and manufacturers to retail  
 36 druggists or qualified physicians, or to each other, nor to sales at retail by retail

37 druggists to regular practitioners of medicine, dentistry, or veterinary medi-  
38 cine, nor to sales made to manufacturers of proprietary or pharmaceutical  
39 preparations for use in the manufacture of such preparations, nor to sales to  
40 hospitals, colleges, scientific or public institutions.

Sec. 2. It shall be unlawful for any practitioner of medicine, dentistry or  
2 veterinary medicine to furnish to or to prescribe for the use of any known ha-  
3 bitual user of the same, any cocaine, heroin, alpha or beta eucaine, opium, mor-  
4 phine, codeine, chloral hydrate, or any salt or compound or derivative of any  
5 of the foregoing substances, or any preparation containing any of the foregoing  
6 substances, or their salts, compounds, or derivatives. And it shall also be un-  
7 lawful for any practitioner of dentistry to prescribe any of the foregoing sub-  
8 stances for any person not under his treatment in the regular practice of his pro-  
9 fession, or for any practitioner of veterinary medicine to prescribe any of the  
10 foregoing substances for the use of any human being.

11 *Provided, however,* That the provisions of this section shall not be con-  
12 strued to prevent any lawfully authorized practitioner of medicine from fur-  
13 nishing or prescribing in good faith for the use of any known habitual user of  
14 narcotic drugs who is under his professional care such substances as he may  
15 deem necessary for their treatment, when such prescriptions are not given or  
16 substances furnished for the purpose of evading the provisions of this Act.

Sec. 3. Any person who shall violate any of the provisions of this Act shall  
2 be deemed guilty of a misdemeanor, and upon conviction for the first offense  
3 shall be fined not less than twenty-five dollars (\$25), nor more than two hundred  
4 dollars (\$200), and may also be imprisoned in the county jail for not more than  
5 six months; and upon conviction for a second offense shall be imprisoned in



6 the county jail for not more than six months, and if the person so convicted  
7 be a licensed pharmacist, physician, dentist or veterinary surgeon, his license  
8 shall be revoked upon conviction for a second offense. It shall be the duty of  
9 the Board of Pharmacy to cause the prosecution of all persons violating the pro-  
10 visions of this Act; but this provision making it the primary duty of said Board  
11 of Pharmacy to cause such prosecutions shall not prevent the issue of warrant  
12 in the manner prescribed by law upon complaint of any citizen charging a vio-  
13 lation of the provisions of this Act.

Sec. 4. All laws, and parts of laws, in conflict with this Act are hereby re-  
2 pealed: *Provided, however,* That such repeal shall in nowise affect any suit,  
3 prosecution or court proceeding pending at the date of the passage of this Act;  
4 all of which suits, prosecutions, or court proceedings pending at the date of the  
5 passage of this Act shall be tried and determined under the law which was in  
6 force and effect at the time of the institution of such suits, prosecutions, or  
7 court proceedings.



- 1 Introduced by Mr. McGoorty, January 24, 1907.
- 2 Read first time, ordered printed and referred to Committee on Judicial Department and Practice, when appointed.

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## A BILL

For an act entitled “An Act to amend sections 5 and 6 of division 15 of an act entitled ‘An Act to revise the law in relation to criminal jurisprudence,’ approved March 27, 1874, in force July 1, 1874.”

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That sections 5 and 6 of division 15 of an  
3 act entitled “An Act to revise the law in relation to criminal jurisprudence,”  
4 approved March 27, 1874, in force July 1, 1874, be and the same are hereby  
5 amended to read as follows:

Sec. 5. If, after inspecting the transcript, the court or judge is of the opin-  
2 ion that there is reasonable cause for allowing a writ of error, and shall also  
3 be of the opinion that there is a reasonable doubt as to the guilt of the defendant  
4 or that there is serious or prejudicial error in the record, it shall be granted,

5 by endorsement on the back of the transcript, with a direction that the same be  
6 made a *supersedeas*, and *supersedeas* shall issue in like manner and in like ef-  
7 fect as in cases where the sentence is death.

Sec. 6. When the court or judge is of the opinion that there is reasonable  
2 cause for believing that the judgment will be reversed, or that the judgment  
3 will be reversed and remanded, and the offense is one for which the party ac-  
4 cused was entitled to bail before conviction, it shall be the duty of the court or  
5 judge to make an order to admit such prisoner to bail upon his entering into  
6 a recognizance to the People of the State of Illinois, in such sum and with such  
7 security as said court or judge shall prescribe, conditioned that the prisoner will  
8 appear at the next term of court in which his trial took place, and at each sub-  
9 sequent term of said court, on the first days thereof, until the determination of  
10 such writ of error, and will not at any of the terms of said court depart the  
11 court without leave, and that in case the judgment is affirmed he will surrender  
12 himself to the sheriff or warden, or other officer from whose custody he is bailed.

- 1 Introduced by Mr. Heinl by request, January 24, 1907.
- 2 Read first time, ordered printed and referred to Committee on Miscellaneous Subjects, when appointed.

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## A BILL

For an act providing for the appointment of a State Inspector of Apiaries, and prescribing his powers and duties.

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WHEREAS, The disease known as Foul Brood exists to a very considerable extent in various portions of this State, which if left to itself will soon exterminate the honey bees; and

WHEREAS, The work done by an individual bee-keeper or by a State Inspector is useless so long as the official is not given authority to inspect and if need be destroy the disease when found; and

WHEREAS, There is a great loss to the bee-keepers and fruit growers of the State each year by the devastating ravages of Foul Brood:

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That the Governor, by and with the advice

3 and consent of the Senate, shall appoint a State Inspector of Apiaries, who shall  
4 hold his office for the term of two years and until his successor is appointed and  
5 qualified.

Sec. 2. Said Inspector shall, when notified of the existence of the disease  
2 known as Foul Brood among apiaries, examine all such as are so reported and all  
3 others in the same locality and ascertain whether or not such disease exists, and  
4 if satisfied of its existence, shall give the owner or the person who has the care  
5 of such apiaries full instructions as to the manner of treating them. In case the  
6 owner of a diseased apiary shall refuse to treat his bees or allow them to be treat-  
7 ed as directed by the said Inspector, then the said Inspector may burn all the col-  
8 onies and all the comb necessary to prevent the spread of the disease: *Provided*,  
9 Said Inspector shall, before burning, give one day's notice to the owner or other  
10 person who has the care of the colonies of bees and comb, that in his judgment  
11 should be burned.

Sec. 3. The Inspector shall, on or before the second Monday of December,  
2 in each calendar year, make a report to the Governor and also to the Illinois  
3 State Bee-Keepers' Association, stating the number of apiaries visited, the num-  
4 ber of those diseased and treated, the number of colonies of bees destroyed, and  
5 of the expenses incurred in the performance of his duty.

Sec. 4. Any owner of a diseased apiary or appliances taken therefrom, who  
2 shall sell, barter, or give away any such apiary, appliance, or bees from such  
3 apiary, expose other bees to the danger of contracting such disease, or refuse to  
4 allow the Inspector of Apiaries to inspect such apiary, or appliances, shall be  
5 fined not less than fifty dollars nor more than one hundred dollars.



- 1 Introduced by Mr. Heintz by request, January 24, 1907.
- 2 Read first time, ordered printed and referred to Committee on Appropriations.

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## A BILL

For an act making an appropriation for the Illinois State Bee Keepers' Association.

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WHEREAS, The members of the Illinois State Bee Keepers' Association have for years given much time and labor without compensation in the endeavor to promote the interests of the bee keepers of the State; and,

WHEREAS, The importance of the industry to the farmers and fruit growers of the State warrants the expenditure of a reasonable sum for the holding of annual meetings, the publication of reports and papers containing practical information concerning bee keeping, therefore to sustain the same and enable this organization to defray the expenses of annual meetings, publishing reports, suppressing foul brood among bees in the State, and promote the industry in Illinois:

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That there be and is hereby appropriated  
3 for the use of the Illinois State Bee Keepers' Association the sum of one thou-



4 sand dollars (\$1,000) per annum for the years 1907 and 1908. For the purpose  
5 of advancing the growth and developing the interests of the bee keepers of Illi-  
6 nois, said sum to be expended under the direction of the Illinois State Bee Keep-  
7 ers' Association for the purpose of paying the expenses of holding annual meet-  
8 ings, publishing the proceedings of said meetings, suppressing foul brood among  
9 bees in Illinois, etc.

10 *Provided, however,* That no officer or officers of the Illinois State Bee  
11 Keepers' Association shall be entitled to receive any money compensation what-  
12 ever for any services rendered for the same out of this fund.

Sec. 2. That on the order of the President, countersigned by the Secre-  
2 tary of the Illinois State Bee Keepers' Association, and approved by the Gov-  
3 ernor, the Auditor of Public Accounts shall draw his warrant on the Treasurer  
4 of the State of Illinois in favor of the Treasurer of the Illinois State Bee Keep-  
5 ers' Association for the sum herein appropriated.

Sec. 3. It shall be the duty of the Treasurer of the Illinois State Bee Keep-  
2 ers' Association to pay out of said appropriation on itemized and receipted  
3 vouchers such sums as may be authorized by vote of said organization on the  
4 order of the President, countersigned by the Secretary, and make annual report  
5 to the Governor of all such expenditures, as provided by law.

- 1 Introduced by Mr. Ireland, January 24, 1907.
- 2 Read first time, ordered printed and referred to Committee on Fees and Salaries,  
when appointed.

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## A BILL

For an act to amend section seven (7) of an act entitled "An Act concerning fees and salaries, and to classify the several counties of this State with reference thereto," in force July 1, 1872, title as amended by act approved March 28, 1874, in force July 1, 1874.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section seven (7) of an act entitled "An Act concerning fees and salaries, and to classify the several counties of this State with reference thereto," in force July 1, 1872, and title as amended by act approved March 28, 1874, in force July 1, 1874, be and is hereby amended to read as follows:

Sec. 7. There shall be allowed to the several state's attorneys in this State, for services to be rendered by them, the following fees and salaries, to-wit: To

3 each state's attorney the sum of \$600, which salary shall be paid to them, re-  
4 spectively, in quarter-yearly installments, on the warrant of the Auditor, out of  
5 any money in the treasury not otherwise appropriated: *Provided*, That until  
6 the election of a state's attorney in and for each county, in the year 1908, all  
7 state's attorneys shall receive the sum now provided by law: *Provided*, That  
8 the provisions of this Act shall not prevent the payment of such additional com-  
9 pensation to the State's Attorney of Cook county, out of the treasury of said  
10 county as is or may be provided by law.

- 1 Introduced by Mr. Levere, January 24, 1907.
- 2 Read first time, ordered printed and referred to Committee on License, when ap-  
pointed.

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## A BILL

For an act to further provide against the evils resulting from the traffic in intoxicat-  
ing liquors by providing for local option in residence districts of municipal cor-  
porations.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Whenever a majority of the qualified elec-  
3 tors of any residence district of any municipal corporation sign a petition in  
4 favor of prohibiting the sale of intoxicating liquors as a beverage in such resi-  
5 dence district and file the petition with the mayor of the municipal corporation  
6 or with any judge of the court of common pleas of the county in which such  
7 municipal corporation is situated, the mayor or judge shall examine the petition  
8 at a public hearing and decide upon the sufficiency of the petition and cause a

9 copy of his decision to be filed with the clerk of the municipal corporation or  
 10 council. The decision of the mayor or judge, as certified to the clerk of the mu-  
 11 nicipal corporation or council and recorded by him in the records of the council  
 12 of the corporation, or a certified copy thereof, provided it shows that a major-  
 13 ity of the voters of such residence district were in favor of prohibiting the sale  
 14 of intoxicating liquors as a beverage, shall be *prima facie* evidence that the sell-  
 15 ing, furnishing or giving away of intoxicating liquors as a beverage, or the keep-  
 16 ing of a place where such liquors are sold, kept for sale, furnished, or given  
 17 away, if such selling, furnishing or giving away or keeping of such place occurred  
 18 thirty days after the finding by said mayor or judge, was then and there pro-  
 19 hibited and unlawful.

Sec. 2. Whenever a majority of the qualified electors of any residence dis-  
 2 trict of any municipal corporation in which the sale of intoxicating liquors as  
 3 a beverage has been prohibited under the provisions of section one of this Act  
 4 shall sign a petition against prohibiting the sale of intoxicating liquors as a bever-  
 5 age in the same residence district, and file the petition with the mayor of the muni-  
 6 cipal corporation or with any judge of the court of common pleas in the coun-  
 7 ty, the mayor or judge shall examine the petition at a public hearing and de-  
 8 cide upon the sufficiency of the petition and cause a copy of his decision to be  
 9 filed with the clerk of the municipal corporation or council. The result of such  
 10 examination and the finding duly certified by the judge or mayor and recorded  
 11 by the clerk of the municipal corporation or council in the records of the proceed-  
 12 ings of the council of the corporation, provided that it shows that a majority of  
 13 the voters of the residence district are opposed to prohibiting the sale of intox-  
 14 icating liquors as a beverage, shall be *prima facie* evidence that the sale of in-  
 15 toxicating liquors as a beverage in the residence district is not then and there



6 prohibited. The petition provided for in this section shall not be filed until after  
 7 two years or more shall have elapsed after the filing of the petition provided for  
 8 in section one of this Act. Nothing in this Act shall be construed to affect or  
 9 repeal any other law which prohibits the selling, furnishing or giving away of in-  
 10 toxicating liquor as a beverage, or the keeping of a place where intoxicating  
 11 liquor is sold, furnished or given away as a beverage which is in force and effect  
 12 throughout the municipal corporation.

Sec. 3. A petition in favor of prohibiting the sale of intoxicating liquor as  
 a beverage in a residence district substantially as follows shall be sufficient:

“A petition to prohibit the sale of intoxicating liquors as a beverage in a  
 residence district of the municipal corporation of ..... in  
 the State of Illinois.

To ..... Date .....

We, the undersigned, respectfully represent that we are qualified electors  
 in the following residence district, to-wit: .....  
 .....  
 in the municipal corporation of ....., county of .....  
 State of Illinois, and that we are in favor of prohibiting the sale of intoxicating  
 liquors as a beverage in said residence district.”

A petition against prohibiting the sale of intoxicating liquors as a beverage  
 in a residence district substantially as follows will be sufficient:

“A petition against prohibiting the sale of intoxicating liquors as a beverage  
 in a residence district of the municipal corporation of ..... of  
 the State of Illinois.

To ..... Date .....

19 We, the undersigned, respectfully represent that we are qualified electors in  
 20 the following residence district, to-wit: .....  
 21 .....  
 22 in the municipal corporation of ....., in the County of .....,  
 23 State of Illinois, and we are opposed to prohibiting the sale of intoxicating  
 24 liquors as a beverage in said residence district."

25 Any qualified elector may authorize any person to sign the petition for him  
 26 by a written power of attorney. No elector will be allowed to add his name to  
 27 the petition after it is filed, or withdraw his own or authorized signature from  
 28 the petition unless he can prove to the mayor or judge that it was secured  
 29 through fraud or misrepresentation. The petition provided for in this Act shall  
 30 be deemed sufficient when it is signed by as many qualified electors as equal a  
 31 majority in number of the votes cast at the last regular municipal election in  
 32 such residence district, but must, in order to be valid, be filed not later than three  
 33 months after the signing thereto of the signature first in order of time. The ex-  
 34 pense incurred for the publication of notices for the hearing on the petition  
 35 shall be paid out of the general revenue fund of the municipal corporation upon  
 36 the order of the mayor or judge passing upon the petition.

Sec. 4. When the petition referred to in this Act has been filed with the  
 2 mayor of the municipal corporation or with any judge of the court of common  
 3 pleas in the county, the mayor or judge shall forthwith cause a notice of the  
 4 hearing on such petition to be published in two newspapers of opposite party  
 5 politics published in the municipal corporation, if there be two, which notice shall  
 6 set forth the time when and place where the judge or mayor will consider the  
 7 petition, at which time he shall hear any person or persons who are electors  
 8 of the district as to the question of the petitioners being qualified electors in

the residence district or any other matter which may be brought before the mayor or judge for determination relating to the sufficiency of the petition. The mayor or judge shall decide whether the petitioners are qualified electors in the residence district and equal in number a majority of the votes cast in the residence district at the last regular municipal election, and the mayor shall make a record of his findings on his docket and the judge shall cause the same to be recorded in the records of his court, and thereupon such mayor or judge shall cause a certified copy or certificate of his findings, together with the original petition, to be filed with the clerk of the municipal corporation or council in not less than five days after such finding and not more than forty days from the filing of the petition with the mayor or judge.

The following shall be a sufficient certificate of the finding of the mayor or judge:

“This is to certify that I have examined the petition which is attached hereto, at a public hearing duly announced, and hereby find that on the ..... day of ....., A. D. ....., that the petition meets the requirements of the law and that a majority of the voters of the following residence district, to-wit:..... in the municipal corporation of ....., county of ....., State of Illinois, are (in favor of or opposed to) prohibiting the sale of intoxicating liquors as a beverage in said residence district.”

Date .....

Official Signature.

The clerk of the municipal corporation in which the residence district is situated shall forthwith upon receiving the certificate of the decision of the sufficiency

34 of the petition, record said petition with the said certificate of such decision on  
 35 the records of the council of the municipal corporation and shall certify to the  
 36 correctness of the same substantially as follows:

37 "I hereby certify that the foregoing is a correct copy of the petition relat-  
 38 ing to the sale of intoxicating liquors as a beverage in the following residence  
 39 district, to-wit: ..... in the municipal cor-  
 40 poration of .....and the finding of the mayor or judge on  
 41 the petition."

42 ..... .

43 ..... Official Signature.

44 Whoever bribes, boycotts, or intimidates or attempts to bribe, boycott or  
 45 intimidate any qualified elector to keep such elector from signing the petition  
 46 or to secure the signature of such elector to the petition provided for in this  
 47 Act; or whoever removes any person in his employ or threatens to remove any  
 48 person in his employ or under his control, either directly or indirectly, in order  
 49 to secure his signature to such petition, or to keep such person from signing such  
 50 petition, shall be guilty of a misdemeanor and shall be fined not less than \$100,  
 51 nor more than \$500, and the signature of any person secured to such petition by  
 52 bribery, boycott or intimidation shall be stricken from such petition.

Sec. 5. If the findings of the mayor or judge or a copy as recorded by the  
 2 clerk of the municipal corporation or council on the records of the council shows  
 3 that a majority of the qualified electors in the residence district named are in  
 4 favor of prohibiting the sale of intoxicating liquors as a beverage, then, from  
 5 and after thirty days from the date of such finding by the mayor or judge it shall  
 6 be unlawful for any person, personally or by agent, within the limits of such



7 residence district of such municipal corporation, to sell, furnish or give away  
 8 any intoxicating liquors to be used as a beverage, or to keep a place where such  
 9 intoxicating liquors are kept for sale, given away or furnished for beverage pur-  
 10 poses, and whoever from and after thirty days aforesaid in any manner what-  
 11 ever, directly or indirectly, sells, furnishes or gives away, or otherwise disposes  
 12 of any intoxicating liquors as a beverage, or keeps or uses a place, structure or  
 13 vehicle, whether permanent or transient for such selling, furnishing or giving  
 14 away or in which or from which intoxicating liquors are sold, furnished or given  
 15 away or otherwise disposed of as aforesaid, or violates any of the provisions  
 16 of this Act shall be guilty of a misdemeanor and shall, on conviction thereof, be  
 17 fined not more than two hundred dollars nor less than fifty dollars for the first  
 18 offense; and shall for any subsequent offense be fined not more than five hun-  
 19 dred dollars, nor less than two hundred dollars. The court on any conviction  
 20 for a second or subsequent offense shall order the place in which such liquor is  
 21 sold, furnished or given away for beverage purposes to be abated as a nuisance  
 22 and shall order the person convicted for such subsequent offense to give bond  
 23 payable to the State of Illinois in the sum of one thousand dollars with sureties  
 24 to the acceptance of the court that he will not sell, furnish or give away intoxi-  
 25 cating liquor as a beverage in such residence district in violation of law.

Sec. 6. The territory enclosed by the boundary of any residence district  
 2 within which the sale of intoxicating liquors has been prohibited, as provided for  
 3 in section one of this Act, shall be controlled by the result of such action, and the  
 4 law shall remain in full force and effect in said residence district for two years  
 5 and thereafter until another petition is presented under the provisions of Sec-  
 6 tion two of this Act in said residence district; and after a petition against pro-  
 7 hibiting the sale of intoxicating liquors has been presented and held sufficient by



8 the judge or mayor, another petition cannot be presented for two years there-  
9 after.

Sec. 7. The phrase "intoxicating liquor" as used in this Act shall be con-  
2 strued to mean any distilled, malt, vinous or any intoxicating liquor, by whatever  
3 name the same may be known, but nothing in this Act shall be construed to prevent  
4 the selling of intoxicating liquors at retail by a regular druggist for exclusively  
5 known medicinal, mechanical, pharmaceutical, scientific or sacramental purpo-  
6 ses; and when sold for medicinal purposes shall be sold only in good faith upon  
7 a written prescription issued, signed and dated in good faith by a reputable phy-  
8 sician in active practice and the prescription used but once. Such prescription  
9 shall contain the name of the party for whom the liquor is prescribed, and direc-  
10 tion for its use. The words "giving away" where they occur in this Act shall not  
11 apply to the giving away of intoxicating liquors by any person in his private  
12 dwelling unless such private dwelling is a place of public resort. And nothing  
13 contained in any of the sections of this Act shall in any manner affect the right of  
14 any manufacturer of intoxicating liquors from the raw material, to sell, deliver  
15 and furnish his product in wholesale quantities to *bona fide* retail dealers traffick-  
16 ing in intoxicating liquors or in wholesale quantities to any party or parties re-  
17 siding outside the limits of said district, nor of any *bona fide* wholesale dealer in  
18 said district to sell or deliver intoxicating liquors in wholesale quantities to cus-  
19 tomers of such district, or to *bona fide* residences in such district.

20 The original petitions and findings of the mayor or judge shall be filed with  
21 the clerk of the municipal corporation or council as a public document. The term  
22 "qualified elector" as used in this Act means registered male voters in all municip-  
23 al corporations which have registration and all other male voters entitled to  
24 register who have been *bona fide* residents of the district for four months before

25 such petition is filed with the mayor or judge. In municipalities which do not  
 26 have registration, such male voter or male qualified elector must be a *bona fide*  
 27 resident of the district for four months before such petition is filed with the mayor  
 28 or judge.

29 The phrase "residence district" as used in this Act shall be construed to  
 30 mean any clearly described, contiguous, compact section or territory in municipal  
 31 corporation bounded by street, corporation or other well organized lines or  
 32 boundaries, and containing not fewer than three hundred qualified electors, nor  
 33 more than five thousand qualified electors; and such district shall not contain any  
 34 block in which one-half or more of the foot frontage of such block is occupied by  
 35 buildings and premises actually devoted to commercial, manufacturing, mercan-  
 36 tile or other business purposes not including saloons; and further, such district  
 37 shall not contain the property or premises abutting on a section of a street lying  
 38 between two consecutive cross or intersecting streets, from street to street, or ex-  
 39 tending for a distance of not less than five hundred feet along such street on  
 40 which said premises abut, whenever sixty-five per cent of the foot frontage of such  
 41 abutting property on each side of such street is occupied for and devoted to man-  
 42 ufacturing, mercantile or other business purposes, not including saloons, if such  
 43 section of such street is in the central or main business part of the municipal cor-  
 44 poration: *Provided, however,* That in determining the total foot frontage re-  
 45 ferred to herein, property occupied by saloons shall not be counted as either busi-  
 46 ness or residence property. Whenever a section of a street is made exempt from  
 47 the provisions of this Act, lot lines may be used in outlining the boundary of the  
 48 district to exempt the property facing on such section of such street.

49 Parks in residence districts and property devoted to educational, religious  
 50 or charitable uses, shall for the purpose of this Act, be held to be occupied for

residence purposes; while public property devoted to other than the above specified uses, shall, for like purposes, be deemed to be occupied for business purposes. Buildings which have more than one-half of the floor space of the buildings used for residence purposes shall be counted as residence property. When but one side of said portion of said street is adaptable for residence or business purposes, then such side of such portion of such street shall determine whether the property abutting on both sides of such street be counted as business or residence property. The maximum length of a residence district shall not exceed three times its maximum width unless the boundaries of the municipal corporation or exempted territory prevents the district from containing the requisite number of voters. In such case the boundaries shall follow the proportionate length and breadth provided herein as nearly as possible.

The term "block" shall be construed to mean the territory bounded by four well recognized streets and not alleys. The term "saloon" shall mean any place where intoxicating liquor is sold or trafficked in as a beverage.

Sec. 8. In indictments, informations or affidavits for violations of this Act, it shall not be necessary to set forth the facts showing that the required number of electors in any residence district of a municipal corporation signed a petition in favor of prohibiting the sale of intoxicating liquors or that there was a public hearing or that any finding was made upon such petition or that a certificate of such findings with the petition was transmitted to the clerk or a record made of it by the clerk, as hereinbefore provided; but, it shall be sufficient to state that the act complained of was then and there in the residence district named prohibited and unlawful.

Sec. 9. When any person, company or corporation engaged in the traffic has discontinued such traffic within the time specified by Section one of this Act and

3 has paid or is charged upon the tax duplicate with an assessment upon such traf-  
 4 fic, the county auditor, upon being satisfied of such facts shall issue to such per-  
 5 son, company or corporation a refunding order of an amount proportionate to  
 6 the unexpired time for which said assessment has been paid or is charged.

Sec. 10. Money received from fines and forfeited bonds collected under the  
 2 provisions of this Act, shall be paid into the treasury of the municipal corpora-  
 3 tion wherein such fine was imposed or bond forfeited, and shall be applied to such  
 4 purposes as the council thereof may direct.

Sec. 11. In all residence districts where the sale of intoxicating liquor has  
 2 been prohibited under the provisions of the act entitled  
 3  
 4  
 5  
 6 passed  
 7 such law thus prohibiting the sale of intoxicating liquors as a beverage shall  
 8 remain in full force and effect in such residence district for two years from the  
 9 date of the local option election held and thereafter until a petition has been pre-  
 10 sented to the mayor or judge as provided for in section one or two of this Act.

Sec. 12. Any person being a qualified elector of any residence district of any  
 2 municipal corporation wherein a petition shall have been presented and held suf-  
 3 ficient by a mayor or judge as provided for in this Act may prosecute error from  
 4 such finding by first filing a motion for leave to file a petition in error with the  
 5 Circuit Court of the county in which such residence district is situated. The  
 6 motion shall not be granted unless for good cause shown. If such motion is  
 7 granted, a petition in error shall be filed within fifteen days after the finding or



8 decision of the mayor or judge setting forth the errors complained of. The Cir-  
9 cuit Court upon the filing of such petition shall forthwith issue a summons ad-  
10 dressed to the mayor of such municipal corporation notifying him of the filing of  
11 the petition in error and directing him to appear in said court on behalf of said  
12 residence district at the time mentioned in the summons which time shall not be  
13 more than thirty days after the finding or decision of the mayor or judge nor less  
14 than ten days after the filing of such petition. The Circuit Court shall have final  
15 jurisdiction to hear and determine the merits of the proceedings and there shall  
16 be no appeal or error proceedings allowed from such decision. The Circuit Court  
17 shall require the person or persons prosecuting error from the finding or decis-  
18 ion of the mayor or judge to furnish security for costs before such petition is  
19 filed. Any qualified elector in such residence district may appear in person or  
20 by attorney at such hearing before the Circuit Court or on the motion for leave  
21 to file petition in error in defense of the validity of the proceedings before the  
22 mayor or judge taking action upon the petition.



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- 1 Introduced by Mr. McNichols, January 24, 1907.
  - 2 Read first time, ordered printed and referred to Committee on Municipal Corporations, when appointed.

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## A BILL

For an act providing for the safety of passengers at elevated railroad stations

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SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* That at all elevated railroad stations it  
3 shall be the duty of the company operating such elevated railroad to erect and  
4 maintain at each station an iron railing or guard at and along the entire length  
5 of the platform, not more than six inches from the edge of said platform abut-  
6 ting upon the tracks of said elevated road, and that there be entrances through  
7 such guard or railings at car length intervals sufficient to enable passengers to  
8 enter each car in single file.

Sec. 2. It shall be unlawful for any elevated railroad company to operate  
2 and run its trains past any elevated railroad stations at a less distance than  
3 twenty-five feet apart.

Sec. 3. Any elevated railroad company failing to comply with the provisions of section one of this Act or violation section two of this Act shall be guilty of a misdemeanor and shall be liable to a fine of \$50.00 for each offense and each day that such failure to comply with section one thereof exists shall constitute a separate offense, and such fine shall be recovered in any court of competent jurisdiction in any proper civil or criminal action.

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- 1 Introduced by Mr. Navigato, January 24, 1907.
  - 2 Read first time, ordered printed and referred to Committee on Labor and Industrial Affairs, when appointed.
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## A BILL

For an act to amend section nine of an entitled "An Act relating to employment offices and agencies," approved and in force May 11, 1903.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That section nine of an act entitled "An  
3 Act relating to employment offices and agencies," approved and in force May  
4 11, 1903, be amended to read as follows:

Sec. 9. No person, firm or corporation in this State shall open, operate or  
2 maintain a private employment agency for hire, or where a fee is charged to  
3 either applicant for employment or for help, without first obtaining a license  
4 for the same from the State Commissioners of Labor, *and no such license shall*  
5 *be issued to any person or persons who shall not have been a resident or resi-*  
6 *dents of the State of Illinois continuously for a period of one year prior to the*

7 issuance of such license or to any corporation not organized under the laws  
8 of the State of Illinois. Such license fee, in cities of fifty thousand (50,000)  
9 population and over, shall be fifty dollars (\$50.00) per annum. In all cities con-  
10 taining less than fifty thousand (50,000) population a uniform fee of twenty-five  
11 dollars (\$25.00) per annum will be required. Every license shall contain a  
12 designation of the city, street and number of the building in which the licensed  
13 party conducts said employment agency. The license, together with a copy of  
14 this Act, shall be posted in a conspicuous place in each and every employment  
15 agency. No agency shall print, publish or paint on any sign, window, or insert  
16 in any newspaper or publication, a name similar to that of the Illinois Free Em-  
17 ployment Office. The Commissioners of Labor shall require with each applicant  
18 for a license a bond in the penal sum of five hundred dollars (\$500.00) with one  
19 or more sureties, to be approved by the said Commissioners, and conditioned that  
20 the obligor will not violate any of the duties, terms, conditions, provisions or  
21 requirements of this Act. The said Commissioners are authorized to cause an  
22 action or actions to be brought on said bond in the name of the People of the  
23 State of Illinois for any violation of any of its conditions, and they may also re-  
24 voke, upon a full hearing, any license, whenever in their judgment the party  
25 licensed shall have violated any of the provisions of this Act. It shall be the  
26 duty of every licensed agency to keep a register in which shall be entered the  
27 name and address of every applicant. Such licensed agency shall also enter into  
28 a register the name and address of every person who shall make application  
29 for help or servants; and the name and nature of the employment for which  
30 such help shall be wanted. Such register shall at all reasonable hours be open  
31 to the inspection and examination of the Commissioners of Labor or their agent.  
32 Where a registration fee is charged for receiving or filing applications for em-

33 ployment or help, said fee shall in no case exceed the sum of two dollars (\$2.00),  
 34 for which a receipt shall be given in which shall be stated the name of the ap-  
 35 plicant, the amount of the fee, the date, the name or character of the work or  
 36 situation to be procured. In case the said applicant shall not obtain a situation  
 37 or employment through such licensed agency within one month after registra-  
 38 tion as aforesaid, then said licensed agency shall forthwith repay and return to  
 39 such applicant, upon demand being made therefor, the full amount of the fee  
 40 paid or delivered by said applicant to said licensed agency, provided that such  
 41 demand be made with thirty (30) days after the expiration of the period afore-  
 42 said. No agency shall send or cause to be sent any female help or servants to  
 43 any place of bad repute, house of ill-fame or assignation house, or to any house  
 44 or place of amusement kept for immoral purposes. No such licensed agency  
 45 shall publish or cause to be published any false or fraudulent notice of adver-  
 46 tisement, or to give any false information, or to make any false promise con-  
 47 cerning or relating to work or employment to any one who shall register for em-  
 48 ployment, and no licensed agency shall make any false entries in the register to  
 49 be kept as herein provided. No person, firm or corporation shall conduct the  
 50 business of any employment office in, or in connection with, any place where  
 51 intoxicating liquors are sold.

52 *Any violation of this Act shall be deemed a misdemeanor and subject the*  
 53 *offender to a fine of not less than \$200.00, nor more than \$500.00, for each and*  
 54 *every offense.*





- 1 Introduced by Mr. Parker, January 24, 1907
- 2 Read first time, ordered printed and referred to Committee on Judicial Department  
and Practice, when appointed.

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## A BILL

For an act to amend section thirty-nine of an act entitled "An Act to revise the law in relation to the partition of real estate," approved February 9, 1874. In force July 1, 1874.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That section 39 of an act entitled "An  
3 Act to revise the law in relation to the partition of real estate," approved Feb-  
4 ruary 9, 1874, in force July 1, 1874, be amended so as to read as follows:

Sec. 39. POWERS OF COURT—In all suits for the partition of real estate,  
2 whether by bill in chancery or by petition under this Act, the Court may investi-  
3 gate and determine all questions of conflicting or controverted titles and remove  
4 clouds upon the titles to any of the premises sought to be partitioned; invest  
5 titles, by their decrees, in the parties, to whom the premises are allotted, without

6 the forms of conveyances by infants or unknown heirs or other parties to the  
7 suit; assign dower, and order a sale of the premises for the purpose of dividing  
8 the premises in proper cases, and by its decree invest the purchaser with title,  
9 and apportion incumbrances among the parties to whom the incumbered premises  
10 are allotted: *Provided, however, when the title of any of the parties is by de-*  
11 *scent or devise, no decree or judgment in partition shall be rendered until the es-*  
12 *tate of the decedent from whom such title is derived, shall have been finally closed*  
13 *in the Probate Court wherein such estate is administered.*

- 1 Introduced by Mr. Smith by request, January 24, 1907.
- 2 Read first time, ordered printed and referred to Committee on Appropriations.

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## A BILL

For an act to make an appropriation for the relief of Edward A. Laxton, injured by an accident at the Southern Illinois Penitentiary, resulting in an injury to him, while in the performance of his duties, under the direction of an officer of the institution.

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WHEREAS, Edward A. Laxton, while employed in his regular duties required of him, at the Southern Illinois Penitentiary, and while exercising ordinary care and caution, received an injury by the falling of a barrel upon his foot, from which injury it became necessary to amputate his foot.

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That the sum of twenty-five hundred  
3 dollars (\$2,500.00) be, and the same is hereby, appropriated for the relief of  
4 Edward A. Laxton, on account of the crushing of his foot, which required the  
5 amputation of the same, received by an accident occurring at the Southern

6 Illinois Penitentiary, while he was employed in the regular line of his duties at  
7 said institution.

Sec. 2. The Auditor of Public Accounts is hereby authorized and directed  
2 to issue his warrant upon the State Treasurer for the aforesaid sum of money to  
3 the said Edward A. Laxton, and the State Treasurer is hereby authorized to  
4 pay the same out of any money in the State Treasury not otherwise appropri-  
5 ated.



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- 1 Introduced by Mr. Young, January 24, 1907.
- 2 Read first time, ordered printed and referred to Committee on Manufactures,  
- when appointed.

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## A BILL

To prevent the manufacture and sale of cigarettes.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That it shall unlawful for any person, by  
3 himself, clerk, servant, employee or agent, directly or indirectly, upon any pre-  
4 tense or by any device, to manufacture, sell, exchange, barter, dispose of or give  
5 away, or keep for sale, any cigarette wrappers, or any paper made or pre-  
6 pared for the purpose of being filled with tobacco for smoking; or keep or own,  
7 or be in any way concerned, engaged or employed in owning or keeping any such  
8 cigarettes, cigarette paper or wrappers, and any person for violation of the  
9 same shall be guilty of a misdemeanor, and upon conviction shall, for the first  
10 offense, pay a fine of not less than twenty-five dollars nor more than fifty dol-

11 fine and cost of prosecution, and stand committed to the county jail until such  
12 costs are paid; and for the second and each subsequent offense he shall, upon con-  
13 viction thereof, a fine, not less than one hundred dollars and the cost of prose-  
14 cution, or be imprisoned in the county jail not to exceed six months: *Provided,*  
15 That the provisions hereof shall not apply to the sale of jobbers doing an inter-  
16 state business with customers outside the State.

Sec. 2. All laws or parts of laws in conflict with this Act are hereby re-  
2 pealed.

AMENDMENTS TO

45th Assem.

HOUSE—No. 106

Mar. 1907

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Amendments to House Bill No. 106, adopted by the House March 28, 1907.

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AMENDMENT NO. 1.

Amend House Bill No. 106, by inserting the word "cigarettes or" after the word "any" in line 5, of section 1, of printed bill. Adopted.

AMENDMENT NO. 2.

Amend House Bill No. 106, by striking out the words "A fine" in line 13, of printed bill and insertng in lieu thereof the words "Be fined."

AMENDMENT NO. 3.

Amend House Bill No. 106, in line 14, page 2, after the word "months" by adding the words "that one-half of the fine recovered shall go the complaining witness."



Introduced by Mr. Zinger, January 24, 1907.

Read at large by unanimous consent first time and ordered to a second reading without reference to a committee.

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## A BILL

for an act to amend section seventy-six of "An Act to provide for the organization of road districts, the election and duties of officers therein and in regard to roads and bridges in counties not under township organization and to repeal an act and parts of act therein named," approved May 4, 1887, and in force July 1, 1887, as amended by act approved June 5, 1889, and in force July 1, 1889.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section seventy-six (76) of an act to provide for the organization of road districts, the election and duties of officers therein and in regard to roads and bridges, in counties not under township organization and to repeal an act and parts of acts therein named, as amended by act approved June 5, 1889, and in force July 1, 1889," be amended so as to read as follows:



Sec. 76. All public roads established under the provisions of this Act shall  
 2 be of the width of sixty feet: *Provided*, That on petition for a new road, if a ma-  
 3 jority of the land owners living along the line of said road sign a petition for a  
 4 less width than sixty feet, then the commissioners of highways may, when the in-  
 5 terests of the public permit, authorize and lay out said road of a width not less  
 6 than forty feet, and roads called public and private roads may be of the width  
 7 as in this Act provided: *Provided, further*; That in case of any new public road  
 8 heretofore petitioned to be laid out and established and where a final order es-  
 9 tablishing such road of a width of sixty feet has not been made, upon petition  
 10 of a majority of the owners of the land over which such road shall pass, asking  
 11 that such new road be established of a lesser width than sixty feet the commis-  
 12 sioners may grant the prayer of said petition by endorsing upon the back thereof  
 13 a memorandum to that effect and duly signing the same; and such order shall  
 14 have the force and effect of reducing such new road to the width as in said petit-  
 15 ion prayed, not less than forty feet, and all proceedings for the establishing of  
 16 such new road may be amended to conform thereto. And in all such cases where  
 17 damages have been assessed by a jury and entered upon the docket of the justice  
 18 in the nature of a judgment as provided by law, such proceedings and judgment  
 19 may be set aside upon payment of all costs accrued therein; and after amendment  
 20 of the certificate filed with the justice of the peace, a new trial may be had upon  
 21 giving to the adverse party or parties not less than ten days' notice in writing  
 22 thereof. All public roads laid out as therein provided shall be opened within two  
 23 years from the time of the laying out the same. If the damages resulting from  
 24 the establishing of such roads shall not be paid within ninety days from the time  
 25 it is determined by agreement or final trial; or if such roads are not opened

6 within two years from the time of the laying out of the same, such roads shall  
7 be deemed to be vacated.

8 WHEREAS, an emergency exists, therefore it is enacted that this Act be in  
9 force and effect from and after its passage.



Introduced by Mr. Allen, January 29, 1907.

Read by title, ordered printed and referred to Committee on Appropriations.

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## A BILL

for an act to commemorate the heroism, valor and patriotic services of the Illinois Volunteer soldiers in the Army of the Union in the War of the Rebellion, who died in Andersonville Prison (officially designated Camp Sumpter), in the county of Sumpter, in the State of Georgia, while confined there as prisoners of war, by the erection of a suitable memorial monument, either in the National Cemetery or on the site of the prison stockade at that place. Creating a commission for such purpose and appropriating a sufficient sum of money therefor.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That a suitable memorial or monument be forthwith erected in the National Cemetery or on the site of the stockade grounds, as the commission may decide, to fittingly commemorate the patriotic devotion, heroism and self-sacrifices of the Illinois soldiers in the Armies of the Union during the Rebellion of 1861 to 1865, who died while confined as prisoners of war in the military prison at Andersonville, Georgia, during the late Rebellion, and were buried in the National Cemetery at that place.

Sec. 2. Said monument or memorial shall be erected under the direct supervision and control, as to location aforesaid, design, inscription and execution, of a commission to be appointed by the Governor, consisting of five persons, at least three of whom shall be members of the Association of Ex-Prisoners of War of Illinois, to proceed on the ground and by themselves, or with such assistance as they may deem necessary, to employ, to locate a site, procure plans, designs and specification for such memorial or monument to secure the execution thereof, and to do all necessary things for the appropriation and speedy completion of said memorial or monument herein authorized, and for carrying this Act into operation and final consummation.

Sec. 3. In order to defray the necessary expenses of the design, execution, inscription, location of said memorial or monument, and reasonable expense of said commission incident to the same, the sum of fifteen thousand dollars (\$15,000), or as much thereof as may be absolutely necessary therefor, is hereby appropriated and set aside out of any moneys in the treasury, not otherwise appropriated; such expenditures to be made only by, or under the direct orders and supervision of said commission, and to be paid by the State Treasurer, on warrants to be drawn on him by the chairman or president of said commission, duly attested by the secretary and to be accompanied in each case by an itemized bill for the amount of such warrants, and be subject to the approval of the Auditor of Public Accounts of the State.

Sec. 4. On the completion of said memorial or monument, said commission shall make full report to the Governor, setting forth the facts in connection therewith, and embodying therein a full and complete itemized account of all expenditures and outlays incurred and made in the execution of the work.



AMENDMENTS TO

45th Assem.

HOUSE—No. 108

**Apr. 1907**

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Amendments to House Bill No. 108, adopted by the House April 29, 1907.

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AMENDMENT NO. 1.

Amend House Bill No. 108, in line 2 of the title, by striking out the words "War of the Rebellion" and insert in lieu thereof the words "Civil War."

AMENDMENT NO. 2.

Amend House Bill No. 108 in line 8 of the printed bill, by striking out the word "Rebellion" and insert the words "Civil War."



1 Introduced by Mr. Boulware, January 29, 1907.

2 Read by title, ordered printed and referred to Committee on Revenue.

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## A BILL

For an act to amend section thirty (30) of "An Act for the assessment of property and providing the means therefor" and to repeal a certain act therein named, approved February 25, 1898, in force July 1, 1898, as amended by act approved and in force May 11, 1901.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That section thirty (30) of "An Act for  
3 the assessment of property and providing the means therefor" and to repeal a  
4 certain act therein named, approved February 25, 1898, in force July 1, 1898,  
5 as amended by act approved and in force May 11, 1901, be and the same is here-  
6 by amended to read as follows:

In counties under township organization of less than 125,000 inhabitants,  
2 the Chairman of the Board of Supervisors and two (2) citizens of said county,

3 to be appointed by the County Judge, on or before June 1st of each year, shall  
4 constitute the Board of Review to review the assessments made by the County  
5 Supervisor of Assessments, one of said citizens shall be appointed by said  
6 County Judge from each of the political parties polling the highest vote at the  
7 general election next preceding such appointment. In case of a vacancy in such  
8 board, then the County Judge may appoint a citizen of such county to fill such  
9 vacancy until such time as said office can be filled by the officer herein named.

10 The Chairman of the County Board shall be the Chairman of the Board of  
11 Review. The members of the Board of Review shall receive as compensation  
12 the sum per day for each day of service as shall be fixed by the County Board;  
13 their time of service to be made out in due form, with day and date, and sworn  
14 to by the members thereof: *Providing, further, That in counties of over 70,-*  
15 *000 inhabitants and less than 125,000 inhabitants, the members of the Board*  
16 *of Review by a majority vote may select some suitable person to act as clerk*  
17 *of said Board of Review, and such clerk shall receive as compensation the sum*  
18 *per day for each day of service as shall be fixed by the County Board; the time*  
19 *of services of such clerk to be made out in due form, with day and date, and*  
20 *sworn to by such clerk.*

AMENDMENT TO

5th Assem.

HOUSE—No. 109

Feb. 1907

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Amendment to House Bill No. 109, adopted by the House February 21, 1907.

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Amend House Bill No. 109 by striking out the word "of" in line 14 of the  
ted bill, the words and figures "over 70,000 inhabitants and."





Introduced by Mr. Campbell, January 29, 1907.

Read by title, ordered printed and referred to Committee on County and Township Organization.

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## A BILL

for an act to amend section four and five of an act entitled "An Act to authorize county boards in counties under township organization to organize certain territory situated therein as a town." Approved May 23, 1877, in force July 1, 1877, and as amended by act approved June 18, 1883, in force July 1, 1883.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections four and five of an act entitled "An Act to authorize county boards in counties under township organization to organize certain territory situated therein as a town." (Approved May 23, 1877, in force July 1, 1877, and as amended by act approved June 18, 1883, in force July 1, 1883), be and the same are hereby amended so as to read as follows:

Sec. 4. All the powers vested in such town shall be exercised by the City  
2 Council, except the appointment of poor master.

Sec. 5. The City Council in such city and town, may by ordinance, provide  
2 that the officers of city and town clerk shall be united in the same person; that  
3 the officers of treasurer and town collector shall be united in the same person;  
4 that the election of highway commissioners shall be discontinued, and that the  
5 offices of supervisor and poor master, shall be separated. The poor master in  
6 such city and town shall be appointed by the County Board.

- 1 Introduced by Mr. Durfee, January 29, 1907.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.
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## A BILL

for an act for the relief of the flood sufferers along the Ohio and Wabash rivers.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That the sum of \$10,000, or so much  
3 thereof as may be found necessary, be, and the same is hereby appropriated for  
4 the relief of the flood sufferers in Illinois, along the Ohio and Wabash rivers.

Sec. 2. That a commission of three persons, be and they are hereby ap-  
2 pointed, consisting of two members of the House of Representatives, to be  
3 named by the Speaker, and one member of the Senate, to be named by the Pres-  
4 ident of the Senate, to supervise and direct the distribution of said sum.

Sec. 3. WHEREAS, An emergency exists, this bill shall be in force from and  
2 after its passage.





Introduced by Mr. Durfee, January 29, 1907.

Read by title, ordered printed and referred to Committee on Judicial Department and Practice.

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## A BILL

for an act to amend section 102 of an act entitled "An Act in regard to the administration of estates," approved April 1, 1872, in force July 1, 1872.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 102 of an act entitled "An Act in regard to the administration of estates," approved April 1, 1872, in force July 1, 1872, be and the same is hereby amended to read as follows: Upon the filing of the petition the clerk of the court, where the same may be filed, shall issue summons directed to the sheriff of the county in which the defendant resides, if the defendant is of this State, requiring him to appear and answer the petition on the return day of the summons; and where there are several defendants, residing in different counties, a separate summons shall be issued to each county, including all the defendants residing therein. Every summons shall be

11 made returnable to the first term of the *court out of which such summons*  
12 *issued*, after the date thereof, unless the petition is filed within ten days immedi-  
13 ately preceding any term, in which case the summons shall be returnable to the  
14 next term thereafter.

AMENDMENTS TO

45th Assem.

HOUSE—No. 112

Mar. 1907

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Adopted by the House March 27, 1907.

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AMENDMENT NO. 1.

Amend House Bill No. 112 by adding to the title of said bill after the figures July 1, 1872, the words and figures following: "As amended by an act approved June 15, 1887, in force July 1, 1887.

AMENDMENT NO. 2.

Amend House Bill No. 112, by inserting after the figures "1872" in line 4 of the printed bill, the words and figures following: "As amended by an act approved June 15, 1887, in force July 1, 1887."



Introduced by Mr. Durfee, January 29, 1907.

Read by title, ordered printed and referred to Committee on Judiciary.

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## A BILL

for an act to limit the doctrine of fellow servants in actions for personal injuries or death by wrongful act.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the rule or doctrine of fellow servants, as heretofore employed as a defense in actions at law, for personal injuries or death by wrongful act against a master, shall no longer operate as a defense in such actions, except in cases, where it shall affirmatively appear that the neglect causing the injury or death is the neglect of an immediate accompanying and direct coemploye engaged in the same specific department of employment and in the performance of a co-ordinate duty, and to whom the injured or deceased servant owed no obedience and to whose orders, directions or requests, the duties of such injured or deceased servant were in no particular subordinate.





Introduced by Mr. Durfee, January 29, 1907.

Read by title, ordered printed and referred to Committee on Judiciary.

---

## A BILL

for an act to limit the doctrine of fellow servants in actions for personal injuries or death by wrongful act.

---

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the rule or doctrine of fellow servants, as heretofore employed as a defense in actions at law, for personal injuries or death by wrongful act against a master, shall no longer operate as a defense in such actions, except in cases, where it shall affirmatively appear that the neglect causing the injury or death is the neglect of an immediate accompanying and direct coemploye engaged in the same specific department of employment and in the performance of a co-ordinate duty, and to whom the injured or deceased servant owed no obedience and to whose orders, directions or requests, the duties of such injured or deceased servant were in no particular subordinate.



- 
- 1 Introduced by Mr. Fieldstack, January 29, 1907.  
2 Read by title, ordered printed and referred to Committee on Fish and Game.

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## A BILL

For an act prohibiting the use of firearms by minors under sixteen (16) years of age  
and forbidding the issuing of licenses to such minors.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That it shall be unlawful for any minor  
3 under the age of sixteen (16) years to use firearms in any manner and it shall  
4 be unlawful to issue any hunters' license to such minors.

Sec. 2. Any one violating the above provision shall be subject to a fine of  
2 not less than ten nor more than two hundred dollars.





- 1 Introduced by Mr. Harris, January 29, 1907.
- 2 Read by title, ordered printed and referred to Committee on County and Town-  
ship Organization.

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## A BILL

For an act to provide for the payment of bounties for killing crows.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That every person, who shall kill any crow  
3 in any county not under township organization or in counties under township  
4 organization, in any township, village or city in the State of Illinois, shall be  
5 entitled to receive a bounty of fifteen cents for each crow killed, to be allowed and  
6 paid in the manner hereinafter provided.

Sec. 2. Every person applying for such bounty, shall take such crow, or the  
2 heads of such crows, in lots of not less than ten, to the county clerk in counties  
3 not under township organization, or in counties under township organization,  
4 to the clerk of the township, village or city within which such crows shall have  
5 been killed, and make proof of the killing of said crows to said clerk, by the affi-

6   davit of the person killing the same, under oath or affirmation administered by  
7   said clerk, and signed by the affiant, and stating in said affidavit, that said crows  
8   were killed within the limits of the county, in counties not under township or-  
9   ganization, or in counties under township organization, within the limits of the  
10   township, village or city, in which said bounty is applied for; whereupon the  
11   said clerk, if satisfied of the correctness of such claim, shall issue a certificate  
12   to the person claiming such bounty, stating the amount of bounty to which such  
13   applicant is entitled, and deliver the same to said applicant, and said clerk shall  
14   destroy the heads of such crows.

Sec. 3. Such certificate may be presented by the claimant or their agent to  
2   the county clerk of the county in which such crows were killed, who shall there-  
3   upon draw a warrant for the amount of the said bounty on the treasurer of said  
4   county, and said treasurer shall, upon presentation of said warrant, pay the  
5   same from the general or contingent fund of said county.

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Adopted by the House March 27th, 1907.

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AMENDMENT NO. 1.

Amend House Bill No. 115 by striking out all after the enacting clause and substituting the following therefor:

SECTION 1. That every person, who shall kill any crow or take any eggs  
2 from the nest of any crow in any county not under township organization or in  
3 counties under township organization, in any township, village or city in the  
4 State of Illinois shall be entitled to receive a bounty of ten cents for each crow  
5 killed and five cents for each egg taken to be allowed and paid in the manner  
6 hereinafter provided.

Sec. 2. Every person applying for such bounty, shall take such crow, or the  
2 heads of such crows or eggs in lots of not less than ten, to the county clerk in  
3 counties not under township organization, or in counties under township organi-  
4 zation, to the clerk of the township, village or city within which such crows shall  
5 have been killed or eggs taken and make proof of the killing of said crows or the  
6 taking of said eggs to said clerk by the affidavit of the person killing or taking  
7 the same, under oath or affirmation administered by said clerk, and signed by the  
8 affiant and stating in said affidavit, that said crows were killed or eggs taken with-

9 in the limits of the county, in counties not under township organization, or in  
10 counties under township organization, within the limits of the township, village  
11 or city, in which said bounty is applied for; whereupon the said clerk, if satisfied  
12 of the correctness of such claim, shall issue a certificate to the person claiming  
13 such bounty stating the amount of the bounty to which such applicant is entitled,  
14 and deliver the same to said applicant, and said clerk shall destroy the heads of  
15 such crows, or the eggs so delivered.

Sec. 3. Such certificate may be presented by the claimants or their agent to  
2 the county clerk of the county in which such crows were killed or eggs taken who  
3 shall thereupon draw a warrant for the amount of the said bounty on the treas-  
4 urer of said county, and said treasurer shall, upon the presentation of said war-  
5 rant, pay the same from the general or contingent fund of said county.

- 1 Introduced by Mr. Lantz, January 29, 1907.
- 2 Read by title, ordered printed and referred to Committee on Speaker's Table

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## A BILL

For an act to establish a uniform system of public accounting, auditing and reporting, under the administration of the Auditor of Public Accounts.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Fiscal Year: The fiscal year for all public  
3 accounts and reports shall begin with the first day of January and end with  
4 the thirty-first day of December.

Sec. 2. Duty of the Auditor of Public Accounts: The Auditor of Public  
2 Accounts shall formulate and prescribe a system of accounting and reporting,  
3 in conformity with the provisions of this Act, that shall be uniform for every  
4 public office and every public account of the same class, and which shall exhibit  
5 true accounts of the same class, and detailed statements of all public funds collected,  
6 received and expended for account of the public for any purpose whatever,  
7 by any and all public officers, employes or other persons; such accounts  
8 to show the receipt, use and disposition of all public property, and the income,



9 if any, derived therefrom, and of all sources of public income and the amounts  
 10 due and received from each source; all receipts, vouchers and other documents  
 11 kept, or that may be required to be kept, necessary to isolate and prove the va-  
 12 lidity of every transaction, and the identity of every person having any benefi-  
 13 cial relation thereto; and all statements and reports, made or required to be  
 14 made, for the internal administration of the office to which they pertain; and  
 15 all reports published or that may be required to be published for the information  
 16 of the people, regarding any and all details of the administration of public af-  
 17 fairs; and it shall be unlawful for any public officer or employe to publish in any  
 18 way, any report or statement pertaining to affairs under his administration, the  
 19 correctness of which as to its accounting, is not certified by the Auditor of Public  
 20 Accounts, or by a deputy auditor, or other person legally authorized to make  
 21 such a certificate.

Sec. 3. Separate Accounts: Separate accounts shall be kept for every ap-  
 2 propriation made by a governing body, showing date and manner of each pay-  
 3 ment made out of the funds provided by such appropriation, the name, address  
 4 and vocation of each person, organization, corporation or association to whom  
 5 paid and for what purpose paid. Separate accounts shall be kept for each de-  
 6 partment, public improvement, undertaking, institution and public industry un-  
 7 der the jurisdiction of every public authority, and of the State, and all service  
 8 rendered by or property transferred from one department, public improvement,  
 9 undertaking, institution or public service industry to another, shall be paid for  
 10 at its full and true value by the department, public improvement, undertaking,  
 11 institution or public service industry receiving the same, and no department, pub-  
 12 lic improvement, undertaking, institution, or public service industry, shall bene-  
 13 fit in any financial manner whatever by an appropriation made for the support

of any other department, public improvement, undertaking, institution, or public service industry. All unexpended balances of appropriations shall be transferred to the general fund whenever the account with an appropriation is closed.

Sec. 4. Public Service Industries: Separate accounts shall be kept for each public service industry which shall show the true and entire cost of the ownership and operation thereof; the amount collected annually by general or special taxation for service rendered to the public, and the amount and character of the service rendered therefor; and the amount collected annually from private users, if any, for service rendered to them, and the amount and character of the service rendered therefor.

Sec. 5. Comparative Statistics: The Auditor of Public Accounts shall require from every public officer financial reports covering the full period of each fiscal year in accordance with the forms and methods prescribed by him, which shall be uniform for all accounts of the same class. Such reports shall be certified as to their correctness by said Auditor of Public Accounts, or by a deputy auditor, or other person legally authorized to make such certificate. Their substance shall be published in an annual volume of comparative statistics that shall be issued for each class of accounts at the expense of the State as a public document, and shall be submitted by the Auditor of State to the Governor for transmittal to the Legislature at the next regular session, or at a special session when required. Such reports shall contain an accurate statement in summarized form and also in detail, of all collections made by, or receipts received by the officer from all sources; all accounts due the public but not collected, and of all expenditures for every purpose and by what authority authorized; and also:

(a) A statement in detail of all costs of ownership and operation and of all income of each and every public service industry.

17 (b) A statement in detail of the entire public debt of every governing body  
 18 to which power has been delegated by the State to create a public debt, showing  
 19 the purpose for which each item of the debt was created; the provisions made  
 20 for the payment of the debt; the annual charge to be met by taxation on account  
 21 of the debt, together with such other information as may be required by the Au-  
 22 ditor of Public Accounts.

Sec. 6. Duty of Public Officers: It shall be the duty of every public officer  
 2 and employe to keep all accounts of his office in the form prescribed, and to make  
 3 all reports required by the Auditor of Public Accounts.

4 Every public officer and employe whose duty it is to collect or receive pay-  
 5 ments due the public shall deposit with the depository designated once every  
 6 twenty-four consecutive hours or as frequently as may be required by ordinance  
 7 or law enacted by the governing body of which he is an officer or employe. In  
 8 case a public officer or employe collects or receives funds for the account of a  
 9 governing body of which he is not an officer or an employe, he shall, during the  
 10 Saturday of each week pay to the proper officer of the governing body for ac-  
 11 count of which the collection was made or payment received, the full amount col-  
 12 lected or received during the current week for the account of such governing body.  
 13 Refusal or neglect to perform these duties shall be deemed an offense against  
 14 the efficiency of public administration and the welfare of the people, and shall  
 15 be punished by removal from office after trial and conviction by a court of com-  
 16 petent jurisdiction.

Sec. 7. Powers of the Auditor of Public Accounts: The Auditor of Public  
 2 Accounts and every deputy auditor, shall have power by himself, or by any per-  
 3 son legally appointed to perform the service, to examine into all financial af-



4   fairs of every public office and officer, and shall make such examinations at  
5   least once a year. On every such examination inquiry shall be made as to the  
6   financial conditions and resources of the governing body having jurisdiction over  
7   the appropriations disbursed by the office whether the requirements of the con-  
8   stitution and laws of the State; and the ordinances and orders of the governing  
9   body have been properly complied with; and into the methods of accuracy of  
10   accounts and to such other methods as the Auditor of Public Accounts may pre-  
11   scribe. The Auditor of Public Accounts and every deputy auditor, and every per-  
12   son legally appointed to perform such service, shall have power to administer an  
13   oath to any person whose testimony may be required, on any such examination,  
14   and to compel the appearance and attendance of such person for the purpose of  
15   any such examination and investigation, and the production of books and papers.  
16   Wilful, false swearing in such examinations shall be made, and shall be a matter  
17   of record in the office of the Auditor of Public Accounts.

Sec. 8. Release of Bonded Officers: The Auditor of Public Accounts, or  
2   some person legally appointed to perform the service, shall examine every bond  
3   given by a public officer or employe, from whom a bond may be required, as to  
4   its form and a sufficiency of its securities. Upon the expiration of a bonded offi-  
5   cer or employe's term of office, or upon his resignation, discharge or death, the  
6   Auditor of Public Accounts or some person legally appointed to perform the ser-  
7   vice, shall examine the accounts of such officer or employe; and if found correct,  
8   shall enter a certified endorsement to this effect, giving date of examination  
9   and by whom made, upon the face of said officer or employe's bond, and such cer-  
10   tificate shall be a legal release of the surety or sureties, of such bond, from all  
11   responsibility assumed by the signers thereof. In case any amount is found  
12   to be due to the public from such officer or employe, the person making the ex-

amination shall certify the amount and place the account in the hands of the proper officer to be collected, together with all information necessary for its collection. In case a deficit is found while an officer or employe is in office, proceedings shall be had as provided by law in such cases.



- 1 Introduced by Mr. Lantz, January 29, 1907.
- 2 Read by title, ordered printed and referred to Committee on Primary Elections.

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## A BILL

For an act providing for the selection of candidates for office by popular vote at primary elections, to be voted for at the regular election following such primary elections.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That on Tuesday, seven (7) weeks  
3 preceding any election (except special election), at which officers of, and for, any  
4 county, city, village or incorporated town in this State are to be elected, a pri-  
5 mary election shall be held in the several election districts of said county, vil-  
6 lage, city or incorporated town, in accordance with this Act, which shall be  
7 known as the primary election for the purpose of choosing candidates for all  
8 elective offices of the city, village or incorporated town, judges, elective mem-  
9 bers of school boards, town officers, members of the General Assembly, repre-  
0 sentatives in Congress, and all other officers which are to be chosen wholly by  
1 electors within and of such city, village, incorporated town or county, or a part

12 thereof, at said ensuing election. This Act shall apply only to counties having,  
 13 or which may hereafter have, a population of one hundred and twenty-five thou-  
 14 sand (125,000) inhabitants or more, and to counties adopting this Act, as here-  
 15 inafter provided, and to cities, villages, incorporated towns and districts in  
 16 such counties, and shall apply only to such offices as are balloted for solely  
 17 within the confines of such county. For all other official positions within the  
 18 gift of the people, by ballot, such other provisions as are provided by law shall  
 19 apply.

Sec. 2. POLITICAL PARTIES—A political party, within the meaning of this  
 2 Act, is one which shall have cast at least ten (10) per cent of the total votes cast at  
 3 the last preceding election for its leading candidate, or shall present to the  
 4 County Clerk a petition asking for the right to have a primary election ticket,  
 5 as hereinafter provided for; such petition to contain at least ten (10) per cent  
 6 of the qualified electors of the county, city, village, incorporated town or dis-  
 7 trict in said county, in which the privilege is asked. Nominations of candidates  
 8 for said offices shall be made by such political parties in accordance with the  
 9 provisions of this Act, and not otherwise: *Provided*, That nothing herein con-  
 10 tained shall be construed to prevent the nomination of candidates for such of-  
 11 fices by any groups, individuals or so-called political parties which are not  
 12 recognized political parties in accordance with this section, by petition, in ac-  
 13 cordance with sections 5, 6, 7, 8, 9, 10 and 11 of an act entitled, “An Act to  
 14 provide for the printing and distribution of ballots at public expense, and for  
 15 the nomination of candidates for public office, to regulate the manner of  
 16 holding elections and to enforce the secrecy of the ballot,” approved June 22,  
 17 1891, in force July 1, 1891, which act shall be herein referred to as the “Aus-  
 18 tralian Ballot Law.”

Sec. 3. ELECTION DISTRICTS—The election districts for the purpose of this Act shall be the districts which shall be fixed and determined according to law, for the purposes of the election next following the primary election, and it shall be the duty of the County Board, Board of Election Commissioners, City Council, President and Board of Trustees, or other officers, as required by law, to divide the territory over which they have jurisdiction into various districts, to make such division at least two (2) weeks prior to the holding of said primary election.

The maps or descriptions of such division, required by law to be made and posted, shall be made and posted at least one week prior to said primary election, and copies of such map or description shall be furnished to the judges of primary elections in each district.

Sec. 4. CANDIDATES—At least eleven (11) days before the primary election day, any person who shall be eligible to any office which he seeks, shall appear before the County Clerk with an affidavit to the effect that it is *bona fide* his intention to run for the nomination for any specified office, and he shall then and there present a petition which shall contain at least five (5) per cent of the total vote cast for the candidate of the party with which he affiliates, for the same position, at the last general election, each name on the petition to be the genuine signature of a qualified elector, and upon payment of ten (10) dollars to the County Clerk, a receipt for which shall be given him, the County Clerk shall place his name upon the primary election ballot in the list of candidates of his party, as hereinafter provided: *Provided*, That in the case of candidates for Representative the number of signatures to the petition shall be ascertained by taking five (5) per cent of the quotient derived by

14 dividing the highest vote cast for Representative in the district by the party, at  
 15 the last election, by the number printed after his name on the official ballot.

16 The County Clerk shall number each petition in numerical order as re-  
 17 ceived. Such fee of ten (10) dollars, in case of a candidate for a city, village or  
 18 incorporated town office, shall be immediately paid into the treasury of such city,  
 19 village or incorporated town by the county clerk, and in other cases shall be so  
 20 paid into the county treasury.

21 Said affidavit may be substantially the following form: "I, A.....  
 22 B....., being duly sworn (or affirmed), say that I reside at number  
 23 ..... street, ..... (city, village or town of .....  
 24 county of ....., State of Illinois, and am a qualified voter therein,  
 25 and a ..... (name of party), that I am a candidate for nomination  
 26 to the office of ....., to be made at the primary election of said  
 27 party to be held on ....., and hereby request that my name be  
 28 printed upon the official ballot, as provided by law, as a candidate of the .....  
 29 ..... party, (and if he is a candidate for Representative in the General  
 30 Assembly he shall add) "and I desire.....votes" printed after my name  
 31 (designating the number, not exceeding three (3)).

32 Subscribed and sworn (or affirmed) to before me ....., date.....  
 33 .....

Sec. 5. BALLOTS—The methods of voting at such primary election shall be  
 2 by ballot, and all ballots voted shall be printed as hereby provided. On the tenth  
 3 (10th) day before the primary election the county clerk shall group all the candi-  
 4 dates for each party by themselves, in separate lists, under their respective par-



ty appellations upon the same ballot and shall prepare at once, in writing, a separate sample ballot for public inspection, which he shall post in a conspicuous place in his office. He shall then proceed to have printed a primary election ballot, containing the several lists of candidates of each political party which has qualified as hereinbefore provided: *Provided*, That in cities, towns or villages having a board of election commissioners, the county clerk shall furnish to such board the several lists of candidates, and such board shall have charge of the printing of the ballots, and furnish them to the judges of election within the territory under their jurisdiction. In either case all ballots to be prepared in the following manner:

The ballot containing the several party lists of candidates shall be white and printed in black ink. Across the head of each ballot shall be printed in plain type: First, the words "Primary Election Ballot." Second, underneath, and in smaller type, shall be printed the words, "Lists of Candidates for Nomination to be Voted for in Election District .....: (naming the district that certain ballot is intended for), ..... ward (naming the ward that certain ballot is intended for), followed by the name of the city, town or village in which the ballot is to be used. Third, underneath the above words, and in larger type, shall be printed the following words: "The voter must vote only for names in the list of the party to which the voter belongs. If he votes for names on different lists his ballot will not be counted for any person."

Underneath the above words shall be printed the several party lists of candidates; at the head of each list shall be printed in plain type: First, the name of the political party to which the list belongs. Second, underneath the name of each political party shall be printed the following words: "To vote for a person



30 mark a cross X in the square at the left of the name of the person for whom you  
 31 desire to vote." Each of these sentences at the head of the ballot, and at the  
 32 head of each party list, shall be enclosed in a rule.

33 The balance of each list of party candidates is to be made up in the same  
 34 manner as the ballot used at a general election, except that at the right of the  
 35 line, in black type, in which shall appear the designation of the position for  
 36 which the names following are candidates, shall be printed the words "vote for,"  
 37 then the word "one," "two," or a spelled number designating how many per-  
 38 sons under that head are to be voted for. Following this shall come the names  
 39 of each candidate for that position, enclosed in a light face rule, with a square at  
 40 the extreme left.

41 Each position, with the names running for that position, shall be separated  
 42 from the following one by a blank face rule to separate each position clearly.

43 The positions shall be arranged as follows, provided nominees for such po-  
 44 sitions are to be selected in said county, under the provisions of this Act herein-  
 45 after provided: First, judiciary; next, congressional; next, county officers;  
 46 next, legislative; next, city, village or town officers.

47 As nearly as practicable the ballot shall be in the following form, viz.:

PRIMARY ELECTION BALLOT.
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List of Candidates to be Voted for Nomination in Election District No. ...
--

..... Ward of City of .....
-----------------------------

The voter must vote only for names in the party list to which he belongs. If he votes for names on different lists, he spoils the ballot, and it will not be counted.

## DEMOCRATIC.

## REPUBLICAN.

To vote for a person mark a cross X in the square of the left of the name of the person for whom you desire to vote.

To vote for a person mark a cross X in the square of the left of the name of the person for whom you desire to vote.

For Circuit Judges (vote for six).

For Circuit Judges (vote for six).

Frank Adams.

Elbridge G. Hanecy.

Frank Baker.

Charles G. Neeley.

For Member for Congress (vote for one).

For Member for Congress (vote for one).

John J. Feeley.

William Lorimer.

48 The names of the candidates for each office upon the sample ballot shall be  
49 arranged alphabetically according to surnames in each party.

50 The names of candidates under headings designating each official position  
 51 shall be alternated in each party list on the ballots in the printing in the follow-  
 52 ing manner:

53 First, the forms shall be set up with the names in the order in which they  
 54 are placed upon the sample ballot prepared by the county clerk. In printing the  
 55 ballots for the various election districts, the position of the names shall be  
 56 changed in each office division as many times as there are candidates in the of-  
 57 fice division in which there are the most names. As nearly as possible an equal  
 58 number of tickets shall be printed after each change. In making the changes of  
 59 position the printer shall take the line of type at the head of each office division  
 60 and place it at the bottom of that division, shoving up the column, so that the  
 61 name that was second before the change shall be first after the change.

62 After the ballots are printed they shall be kept in separate piles, one pile  
 63 for each change of position, and shall be then piled by taking one from each  
 64 pile and placing it upon the pile to be given to the judges of election, the inten-  
 65 tion being that every other ballot in the pile of printed sheets, when it is given  
 66 to the judges of election, shall have names in a different position. Such position  
 67 shall not be changed by the judges of election, and they, or one of them, shall  
 68 hand the ballots to the voters from said pile in the order in which they are piled  
 69 and received by them, so that every other ballot handed to a voter shall have  
 70 names in a different position.

71 There shall be printed on the back of the ballots the words "Official Ballot,"  
 72 followed by a *fac simile* of the signature of the county clerk or of the chief clerk  
 73 of the board, as the case may be, printing the ballot, and, except as herein other-  
 74 wise provided, the following sections of said Australian ballot law are hereby

made applicable to primary elections and primary election ballots under this Act, to-wit: Fourteen (14), fifteen (15), eighteen (18), nineteen (19), twenty (20), twenty-one (21), twenty-two (22).

Sec. 7. NOTICES AND PLACE OF PRIMARY ELECTIONS—The primary election shall be held in each election district at the place where the last election was held, or such other place as may be lawfully designated for the polling place for the election district.

The notice required by sections forty-six (46) and forty-seven (47), of chapter forty-six (46) of the Revised Statutes of this State, known as the General Election Law, shall be given with reference to such primary election, and is hereby made applicable to primary elections held hereunder: *Provided, however,* That the notice shall state that a primary election is to be held for the purpose of selecting candidates for the several offices to be filled at the ensuing general election, or city, village, town or district election, naming such offices.

Sec. 8. JUDGES AND CLERKS—The judges and clerks of election, within the counties subject to the provisions of this Act, shall be appointed and designated in the manner provided by law at least ten (10) days prior to the primary election day, and the judges and clerks of election, so designated in and for each election district in such county, shall be and constitute the judges and clerks of primary election for such district.

Sec. 9. If a judge or clerk of election shall fail to attend at said primary election, or be a candidate thereat, disqualified, refuses to act or fails to qualify, or if any vacancy occurs, judges shall be chosen and clerks appointed to act instead, and take the oath, in the manner and form prescribed by law for appointment of judges and clerks at general elections, to fill vacancies.



Sec. 10. REGISTERS—The registers provided by law for the registration of  
 2 voters shall have therein an additional column, headed "Voted, Primary Elec-  
 3 tion." No person shall be permitted to vote at any primary election whose name  
 4 does not appear upon the register of voters made in said election district for the  
 5 general, state or city election held last before said primary election, except in  
 6 election districts where no registration was had at said last election, where vot-  
 7 ers may vote by qualifying as at a general election.

Sec. 11. LIQUOR AND SALOONS—The provisions of law relating to liquor and  
 2 saloons on election day shall apply in like manner to primary election day, un-  
 3 der this Act, during all the time the polls are required to be open.

Sec. 12. ARRANGEMENT AT POLLS, BALLOT BOXES, ETC.—The provisions of  
 2 law relating to the place of holding elections, change thereof, arrangements at  
 3 polling places, the ballot boxes, booths, guard rails, challenges, watchers, sher-  
 4iffs, police officers and arrests at general elections, are hereby made applicable  
 5 to primary elections held under this Act, and for the purpose of determining the  
 6 number of booths to be provided recourse shall be had to the number of electors  
 7 registered at the last preceding election day within the same territory, ascer-  
 8 tained as near as may be.

Sec. 13. SUPPLIES FOR POLLS, ETC.—The following sections of said Austra-  
 2 lian ballot, except as herein otherwise provided, are hereby made applicable to  
 3 primary elections held under this Act, to-wit: Sections fifteen (15), eighteen  
 4 (18), nineteen (19), twenty (20), and twenty-one (21).

Sec. 14. VOTING—The polls in the several election districts on the prima-  
 2 ry election day shall be kept open, for the purpose of voting, for the same length of



3 time they are required to be open at general elections, and between the  
 4 same hours of the day. If at the hour of closing there are any electors in the  
 5 polling place, or in line at the door, desiring to vote, and who are qualified, and  
 6 have not been able to do so since appearing at the polling place, said polls shall  
 7 be kept open reasonably long enough after the hour for closing to allow those  
 8 present at that hour to vote. No one not present at the hour of closing shall be  
 9 entitled to vote because the polls may not actually be closed when he arrives.

10 No adjournment or intermission whatever shall take place until the polls  
 11 shall be closed, and until all the votes cast at such poll have been counted and  
 12 the result publicly announced; but this shall not be deemed to prevent any tem-  
 13 porary recess while taking meals, or other necessary delay: *Provided*, That the  
 14 board shall remain in session, and that no more than one member of the board of  
 15 election shall at any time be absent from the polling place.

Sec. 15. All persons entitled to vote in the election district on the day of the  
 2 primary election, whose names are on the register of voters for the purpose of  
 3 voting at the last preceding election, or having qualified, as required by law, at a  
 4 general election in election districts where registration is not a condition in qual-  
 5 ifying to vote at a general election, shall be entitled to participate in the primary  
 6 election. The manner of receiving the primary election ballot by the voter, and  
 7 marking the same, shall be the same as provided by sections twenty-two (22) and  
 8 twenty-four (24) of the said Australian Ballot Law, which sections are hereby  
 9 made applicable to primary elections held under this Act. When the ballot is  
 10 handed to the voter, a judge of election shall instruct the voter that he is to vote  
 11 for his choice for each office, using only the list of candidates of the party with  
 12 which he affiliates.

Sec. 16. When an elector has received his ballot, he shall forthwith retire to an unoccupied booth, and without undue delay mark the list of candidates of that party with which he affiliates, as he sees fit, with the pencil to be found in such booth. If he soils or defaces said ballot he shall at once return the same and get a new ballot. In marking his ballot he shall observe the following rules:

1. The elector shall designate his choice on the ballot by making a cross (X) mark in each of the small squares opposite the names of the candidates for whom he desires to vote in the list of candidates of that party with which he affiliates, being careful not to vote for more candidates for an office than are to be elected thereto at the election to follow the primary election as indicated on the ballot at the right of each office for which candidates are to be selected. The elector shall not vote for candidates except upon one party list, or if he does vote or mark with the cross (X) mark in the square upon more than one party list, then the ballot shall be void, and shall not be counted, and shall be returned as "spoiled." Section twenty-six (26) of said Australian Ballot Law relating to ballots wrongly marked and rejected ballots is hereby made applicable to primary elections held under this Act.

If candidates for Representative in the General Assembly are to be selected, then each voter may give three (3) votes for one candidate or divide his vote between each of two or between each of three candidates, and the two highest candidates in the poll, of the political party casting the greatest number of ballots in the Senatorial district shall be the nominees of that party in the district, and such nominees shall have "1½ votes" printed after their respective names on the official ballot at the election following; and the highest candidate in the poll, of each of the parties casting a minority of the ballots cast at the primary election

in the district, shall be the candidate of their respective parties, and each of said nominees shall have "3 votes" printed after each of their names in the respective party lists of candidates on the official ballot at the election following: *Provided*, That if any minority party shall be only one thousand (1,000) votes or less behind the majority party at the primary in the district, then its two highest candidates shall be the nominees of that party in the district, and such nominees shall have "1½ votes" printed after their respective names on the official ballot at the election following: *Provided, further*, That if a majority party in any district shall cast three times or more as many ballots as are cast for all the minority parties, then its three highest candidates shall be the nominees of that party, and such nominees shall have "1 vote" printed after their respective names on the official ballot at the election following.

Sec. 17. When an elector has prepared his ballot he shall fold it so that the initials of the judge is uppermost, and so folded as to conceal the face thereof, and all marks thereon, and shall hand the same to the judge of primary election, who is in charge of the ballot box, and he shall place it in the ballot box, and the name of the voter shall be checked off upon said register in the column headed "Voted Primary Election."

Except as herein otherwise provided, the following sections of said Australian Ballot Law are hereby made applicable to primary elections held under this Act, to-wit: Sections twenty-five (25), twenty-eight (28), twenty-nine (29), thirty (30), thirty-one (31), thirty-two (32), thirty-four (34), and thirty-five (35).

Sec. 18. As soon as the polls are finally closed, and before the canvass of votes, the judges and clerks of election shall prepare upon a blank delivered to



3 them by the county clerk or board of commissioners, as the case may be, for that  
4 purpose, a statement substantially as follows:

5 "Poll list statement of a primary election held in (name of city or village),  
6 Illinois, ..... ward or town, ..... district .....  
7 on the ..... (day and year) .....

8 The number of persons whose names appear upon the register as present at  
9 the above named primary election was ....., of whom .....  
10 were women. The number of ballots cast by men was ....., and the num-  
11 ber of ballots cast by women was .....

12 The blanks in said forms shall be filled by the proper number, in each case  
13 to be written in words and figures. Said form shall, before the canvass of the  
14 votes, be signed by each of the judges and attested by each of the clerks. They  
15 shall also file at the same time, in the registers, in the column for marking those  
16 who "voted" at such primary election the word "no" opposite the name of  
17 every person whose name appears in the said registers who has not voted at  
18 such primary elections.

Sec. 19. CANVASS OF VOTES—Upon the completion of matters prescribed in  
2 the last section, the clerks and judges of registration shall immediately open the  
3 ballot boxes at each polling place, and proceed to take therefrom the ballots, and  
4 said officers shall count the number of ballots cast by each party, at the same time  
5 bunching the ballots cast for each party together in separate piles, and shall  
6 then fasten each pile separately by means of a brass clip, or may use any means  
7 which shall effectually fasten each pile together at the top of each ballot.

8 In the examination of ballots, should it appear that some of the electors have  
 9 marked names upon different party lists of candidates, or some names upon all  
 10 the lists, then the judges shall not count said ballot for any candidate, and said  
 11 ballot shall be placed in a pile with other spoiled or defective ballots not to be  
 12 counted, and they shall be fastened together and returned with the unused, de-  
 13 fective and spoiled ballots, to the county clerk, or board of commissioners, as  
 14 the case may be.

15 As soon as the clerks and judges shall have sorted and fastened together the  
 16 ballots of each separate party, then they shall take the tally sheets provided by  
 17 the county clerk or board of election commissioners, and shall count all the bal-  
 18 lots for each party separately, until the count is completed, and shall certify to  
 19 the number of ballots cast by each party, and to the number of votes cast for each  
 20 candidate for each office upon the ticket of each party. They shall then place  
 21 the counted ballots in the box, but in no case shall they separate them from each  
 22 other. After all have been counted and certified to by the clerks and judges they  
 23 shall seal the returns for all parties in one envelope, to be returned to the county  
 24 clerk or board of election commissioners as the case may require.

25 Except as herein otherwise provided, the matters pertaining to the canvass  
 26 of votes shall be conducted in the manner prescribed by the following section:  
 27 Twenty-seven (27) of said Australian Ballot Law, and the same is hereby made  
 28 applicable to primary elections held under this Act.

Sec. 20. TALLY SHEETS—Two tally books or two sets of tally sheets for each  
 2 political party having candidates to be voted for at said primary election shall  
 3 be furnished for each election district by the county clerk or board of election



4 commissioners, as the case may be, at the same time and in the same manner  
5 that the ballots are furnished, and shall be substantially as follows:

6 Each tally sheet, or the first sheet of each tally book to be furnished, shall  
7 be headed "Tally Sheet for ..... (name of political party), .....  
8 (name of city), ..... (county), ..... (ward or town),  
9 ..... (election district), for a primary election held ..... (date)."

10 "Number of ballots cast by said ..... party was ....."

11 The names of candidates shall be placed on the tally sheets in the order in  
12 which they appear on the official sample ballots, and in each case, shall have the  
13 proper party designation at the head thereof.

14 Except as herein otherwise provided, tally sheets shall be prepared in accord-  
15 ance with law for general elections, and the same is hereby made applicable to pri-  
16 mary elections held under this Act.

17 Sec. 21. RETURNS—In making out returns of the primary election in the sev-  
18 eral election districts the same shall be done and all matters pertaining thereto  
19 conducted in accordance with the law regulating such matters at general elec-  
20 tions, except as herein provided.

21 Sec. 22. CANVASSING BOARD—The clerk of the circuit court of the county,  
22 the county clerk, the county judge and two justices of the peace of the same  
23 county, of opposite political parties from that of the majority of the other mem-  
24 bers of the canvassing board, to be selected by the county judge, shall constitute  
25 the county canvassing board for the purpose of the primary election, and shall  
26 meet at the court house in the county at ten (10) o'clock in the morning of the

second day after said primary election, and shall proceed, after taking the usual oath of office, to openly and publicly canvass the primary election returns made to the county clerk and board of election commissioners respectively.

Any three of said canvassing board shall constitute a quorum and are authorized to make the canvass herein provided and to certify to the results thereof.

The canvassing board shall not wait until all the returns are at hand before beginning, but, after filling out their sheets with the names and number of the election districts, they shall take such election returns as are at hand, and fill in the results there shown, and when the returns are not at hand they shall leave a space until the missing returns are brought in.

Sec. 23. The canvassing board shall make and prepare a statement, the same to be signed by the said board, and filed in the office of the county clerk and board of election commissioners, if there be such board, as follows:

First—A statement of the number of ballots by each political party in each Senatorial district, when candidates for Representatives in the General Assembly are to be nominated, and the number of such candidates each party is entitled to, and names of the candidates nominated under the provisions of this Act.

Second—A statement containing the names of all candidates voted for at the primary election, with the number of votes received by each, and for what office, said statement to be made as to each political party separately.

Third—A statement of the names of the persons or candidates of each political party who are nominated, to-wit: Those persons or candidates of such polit-

13 ical party who receive the highest number of votes for the respective offices; and  
 14 where there is more than one person to be elected to a given office at the ensuing  
 15 election there shall be included in said statement of nominations the names of so  
 16 many candidates of such party receiving the next highest number of votes for  
 17 that office as there are persons to be elected to such office at said ensuing election.  
 18 Said statement shall in like manner be made separately as to each political party.

19 Fourth—A statement of the whole number of electors who voted and the  
 20 number of ballots cast, male and female, separately, at such primary election.

21 If two or more candidates of the same political party are “tied” for the  
 22 same office, the “tie” shall be determined by lot to be cast then and there by and  
 23 as the canvassing board may determine.

24 It shall be the duty of the county clerk, or board of election commissioners, as  
 25 the case may be, upon the completion of its canvass by said canvassing board,  
 26 to mail or deliver in person to each candidate so nominated, a notice of such fact,  
 27 that his name will be placed upon the official ballot at the ensuing election.

Sec. 24. The persons whose names are so properly placed in said nomina  
 2 tion statement shall be and constitute the nominees of the several political par  
 3 ties in which they are candidates, and such names shall be printed upon the officia  
 4 ballot prepared for the ensuing election, in like manner as if such persons had  
 5 been duly nominated by a party convention of delegates, with the certificate  
 6 thereof filed, as required by said Australian Ballot Law.

7 No names of candidates of any political party which is required to mak  
 8 nominations under this Act for officers to be voted for wholly within suc  
 9 county shall be placed upon the official election ballot unless such candidate  
 10 have been chosen in accordance with this Act; except in case of vacancy occur

signed by the death, removal or resignation of any candidate so chosen or arising otherwise, and in such event, the campaign or party committee of the same political party, or if there be no such committee, then a mass convention of such party may fill such vacancy, the name of such new candidate to be certified under oath to the county clerk and board of election commissioners, as the case may be, by the chairman and secretary of such committee or convention.

Sec. 25. COMPENSATION AND EXPENSES—The judges and clerks of election, watchers, challengers, members of the canvassing board and other officers, discharging duties as provided in this Act, shall receive the same compensation as is allowed by law for like services at general elections and for canvassing returns.

Sec. 26. REVIEW BY COURTS—Whenever it shall appear by affidavit to any judge of the circuit court of any county that an error or omission has occurred, or is about to occur in the printing of the name of any candidate on official ballots, or that any error has been or is about to be committed in printing the ballots, or that the name of any person has been or is about to be wrongfully placed upon such ballots, or that any wrongful act has been performed, or is about to be performed by any judge or clerk of the primary election, county clerk, board of election commissioners, canvassing board or member thereof, or by any person charged with a duty under this Act, or that any neglect of duty by any of the persons aforesaid has occurred, or is about to occur, such judge shall by order require the officer, or person, or persons charged with the error, wrongful act or neglect to forthwith correct the error, desist from the wrongful act or perform the duty, and do as the court shall order or to show the cause forthwith why such error should not be corrected, wrongful act desisted from, or such duty or order performed. The decision of the court on the hearing shall be final. Failing to obey the order of such judge shall be contempt of court.



17 Any candidate at such primary election who may desire to contest the nom-  
 18 ination of any candidate for the same office as that he ran for at said primary  
 19 election, may proceed by affidavit presented to the circuit court of the county:  
 20 *Provided*, That such affidavit be presented within five (5) days after the comple-  
 21 tion of the canvass by said canvassing board, and not later, and the candidate  
 22 whose nomination is so contested shall, by order of such judge duly served, be  
 23 required to appear and abide by the orders of the court to be made therein, and  
 24 the decision of the court shall be final.

Sec. 27. OFFENSES AND PUNISHMENTS—The offenses and penalties and pun-  
 2 ishments thereof, as set forth in the Australian Ballot Law, and in the act entitled  
 3 “An Act in regard to elections and to provide for filling vacancies in elective  
 4 offices,” approved April 3, 1872, in force July 1, 1872, and in an act entitled “An  
 5 Act to amend an act entitled ‘An Act regulating the holding of elections and de-  
 6 claring the result thereof in cities, villages and incorporated towns in this State,’  
 7 approved June 19, 1885, in force July 1, 1885, as amended by an act approved  
 8 June 18, 1891, in force July 1, 1891,” approved April 24, 1899, in force July 1,  
 9 1899, shall be applicable to the same persons and matters pertaining to the pri-  
 10 mary elections held under this Act, in the territory within which said respective  
 11 acts are in force, and said acts are hereby made applicable to primary elections  
 12 held under this Act within the territory where said respective acts are in force, so  
 13 far as they are applicable, except as the provisions thereof are modified by  
 14 this Act.

Sec. 28. The expense of such primary elections in such county, city, village  
 2 or incorporated town, shall be paid by such county, city, village or incorporated  
 3 town, respectively, to which this Act shall apply, including the salaries of the  
 4 judges and clerks, the cost of the ballot boxes, registry books, poll books, return



5 sheets, stationery, supplies, polling places, and such other expenses as are neces-  
 6 sary and incidental to carrying out the provisions of this Act. The board of elec-  
 7 tion commissioners, where such board has jurisdiction, otherwise the county  
 8 clerk, shall audit all the claims of such judges and clerks of such primary elec-  
 9 tion, and such board or clerk, as the case may be, shall audit all other claims in-  
 10 cidental to expenditures allowed by this Act, and all expenses incurred by such  
 11 board or county clerk, or by any other officer authorized by this Act to provide  
 12 for such primary election, shall be paid as aforesaid upon the warrant of such  
 13 board of election commissioners, or of such county clerk or other officer.

14 And after being used at any **primary election**, all registry books, poll books,  
 15 ballots, statements, returns, ballot boxes, ballot box keys, and other election para-  
 16 phernalia, shall be preserved, kept stored, accounted for and returned.

17 *Provided*, That in cities, villages and incorporated towns, where there is a  
 18 board of election commissioners, all expenses incurred by said board of election  
 19 commissioners shall be paid by such city. Such expenses are to be audited by the  
 20 county judge, and shall be paid by the city treasurer upon the warrant of such  
 21 county judge, out of any money in the city treasury not otherwise appropriated.  
 22 It shall be the duty of the governing authority of such city to make provision for  
 23 the prompt payment of such expenses. At all primary elections for city officers,  
 24 though other than city officers may be nominated at the same time, and at all  
 25 primary elections in a part of such city, such city shall pay such judges and  
 26 clerks for their services under this Act. All general county primary elections,  
 27 though other than county officers, or judicial officers, are to be nominated, such  
 28 county shall pay such judge and clerks for their services under this Act. Said  
 29 board of election commissioners shall audit all the claims of judges and clerks

30 and shall draw a warrant therefor upon such city or county treasurer, as the  
 31 case may be.

Sec. 29. The electors of any county may adopt and become entitled to the  
 2 benefit of this Act in the following manner: Whenever one thousand of the legal  
 3 voters of such county shall petition the judge of the county court of such county  
 4 to submit to a vote of the electors of said county the proposition as to whether  
 5 such county and the electors thereof shall adopt and become entitled to the bene-  
 6 fits of this Act, it shall be the duty of such county court and the judge thereof  
 7 to submit such proposition accordingly at the next succeeding general, state or  
 8 county election, and if such proposition is not adopted at such election the same  
 9 shall, in like manner, be submitted to a vote of the electors of such county by  
 10 such county court and the judge thereof, upon like application, at any general,  
 11 state or county election thereafter, and an order shall be entered of record in  
 12 said county court submitting the proposition as aforesaid. If one thousand shall  
 13 exceed one-eighth of the legal voters of such county, voting at the last preceding  
 14 election, then such petition or application need not be signed or made by more  
 15 than one-eighth of the legal voters of such county voting at the last preceding  
 16 election.

17 The judge of said county court shall give at least ten days' notice of such  
 18 election, at which such proposition is to be submitted, by publishing such notice  
 19 in one or more newspapers published in the county for at least five times, the first  
 20 publication to be at least ten days before the day of election, and if no newspa-  
 21 per is published in said county, then by posting at least twenty-five copies of such  
 22 notice in twenty-five of the most prominent places in such county at least ten days  
 23 before such election. Such election shall be held under the election law in force  
 24 in such county, except as herein otherwise provided. The proposition so to be

25 voted for shall be on a separate ballot, in plain, prominent type, and shall be pre-  
 26 pared and provided for that purpose in the same manner as other ballots, and  
 27 shall be substantially in the following form:

..... : : For the adoption of the act providing for the selection of : : candidates for office by popular vote at primary elections. : : .....	..... : : : : : : .....
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28 If a majority of the votes cast upon such proposition shall be voted for  
 29 such proposition, this Act shall thereby be adopted by such county, and the  
 30 judge of the county court of the county shall thereupon enter of record an order  
 31 declaring this Act in force in such county:

32 *Provided*, That in counties of one hundred and twenty-five thousand in-  
 33 habitants. or more, this Act shall be in full force and effect without submitting  
 34 the question of its adoption to a vote of the people.



1 Introduced by Mr. Lawrence, January 29, 1907.

2 Read by title, ordered printed and referred to Committee on License.

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## A BILL

For an act prohibiting the sale, distribution or gift of intoxicating liquors near any  
army post or near any national home for disabled volunteer soldiers.

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SECTION 1. *Be it ordained by the People of the State of Illinois, represented in*

2 *the General Assembly:* That it shall hereafter be unlawful to sell, distribute or give  
3 away any intoxicating liquors within four (4) miles of the boundary of any lands  
4 owned, used or occupied by any army post or by any national home for disabled  
5 volunteer soldiers in this State: *Provided*, this section shall not affect the sale, dis-  
6 tribution or gift of such intoxicating liquors within the boundary of the grounds of  
7 such home or of such army post.

Sec. 2. Any person, by himself, agent, or employee who shall violate any of the

2 provisions of the foregoing section of this Act shall, upon conviction thereof, be  
3 fined not less than fifty (50) dollars nor more than two hundred dollars (\$200), or  
4 shall be imprisoned in the county jail for a term not exceeding six (6) months, or by  
5 the infliction of both such fine and imprisonment, in the discretion of the court, for  
6 each and every offense.





- 1 Introduced by Mr. Lewis, January 29, 1907.
- 2 Read by title, ordered printed and referred to Committee on Roads and Bridges,  
when appointed.

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## A BILL

For an act entitled an Act to amend sections one (1) and three (3) of an act entitled  
“An Act to authorize the construction and maintenance of gravel, rock, macadam  
or other hard roads,” approved June 18, 1883, in force July 1, 1883.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in*  
2 *the General Assembly:* That Sections one (1) and three (3) of an act entitled “An  
3 Act to authorize the construction and maintenance of gravel, rock, macadam or  
4 other hard roads, approved June 18, 1883, in force July 1, 1883, be, and the same  
5 are hereby amended to read as follows:

Sec. 1. PETITION FOR ROAD—NOTICE—ELECTION—VOTE—RATE PER CENT—That  
2 on the petition of twenty-five land owners, who are legal voters, of any township  
3 to the town clerk thereof in counties under township organization, or road dis-  
4 tricts in counties not under township organization, to the county clerk, he shall,  
5 when giving notice of the time and place for holding the next annual town meeting

6 or road district meeting also give notice that a vote will be taken at said election  
 7 for or against levying a tax not to exceed one dollar on each one hundred dollars  
 8 assessed valuation of all the taxable property, including railroads, in the township  
 9 or road districts, for the purpose of constructing and maintaining gravel, rock,  
 10 macadam or other hard roads. Said petition shall state the location and route of  
 11 the proposed road or roads, not exceeding two; and shall also state the rate per  
 12 cent not exceeding one dollar on each one hundred dollars, and the number of  
 13 years, not exceeding five, for which said tax shall be levied.

Sec. 3. DUTY OF COMMISSIONERS—TAX—DONATIONS—If a majority of all the  
 2 ballots cast at said election upon said proposition shall be in favor of said special  
 3 tax, then it shall be the duty of the commissioners of highways of the township or  
 4 road districts to levy a tax in accordance with said vote, and certify the same to  
 5 the town clerk in counties under township organization, or to the district clerk in  
 6 counties not under township organization, as the case may be, who shall certify the  
 7 amount voted to the county clerk, who shall cause the same to be extended on the  
 8 tax books for the current year: *Provided*, That the length of time for which the special  
 9 tax levy shall continue shall not exceed five years, and also the road or roads to  
 10 be improved must be designated in the petition. The commissioners may also  
 11 receive donations in money, labor, materials or other valuable things, to aid in the  
 12 construction of said road.

1 Introduced by Mr. McGoorty, January 29, 1907.

2 Read by title, ordered printed and referred to Committee on Primary Elections.

## A BILL

For an act to provide for party nomination of candidates for public office in cities,  
villages and incorporated towns by direct vote.

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That hereafter all candidates for public  
3 office in any city, village or incorporated town shall be nominated:

4 1. By a primary held in accordance with this Act, or

5 2. By petition, as now provided by law.

6 3. This Act shall not apply to special elections to fill vacancies.

Sec. 2. A political party which at the general election then next preceding a  
2 primary polled more than two per cent of the entire vote cast in the State, is  
3 hereby declared to be a political party within the State, and shall nominate all  
4 candidates provided for in this Act, under the provisions hereof.

Sec. 3. The words and phrases in this Act shall, unless the same be inconsistent with the context, be construed as follows :

1. The word "Primary," the primary election provided for by this Act.

2. The word "Election," a general or city election, as distinguished from a primary election.

3. The word "District," a district established by law within which all qualified voters vote at one polling place.

This statute shall be liberally construed, so that the real will of the electors may not be defeated by any informality or failure to comply with all provisions of law in respect to either the giving of any notice, or the conducting of the primary or certifying the results thereof.

Sec. 4. Each election district now established, or which may hereafter be established for the purpose of a general election, shall constitute a primary district.

Sec. 5. The primary, under this Act, shall be held in each primary district at the regularly established place for holding general elections for any city, village or incorporated town, which may have adopted this Act as herein provided, on the first Saturday of March in the years in which their officers are to be elected.

The polls shall be open from six o'clock A. M. to seven o'clock P. M.

Sec. 6. The regular election officers of general elections in each election district shall be and hereby are constituted officers of primary elections in their respective districts,



4 The primary election judges and clerks, except as otherwise provided in this  
 5 Act, shall perform the same duties, have the same powers, be subject to the same  
 6 penalties, receive the same pay, and shall be paid by the same authorities and in  
 7 the same manner as judges and clerks under the general election laws of this  
 8 State.

Sec. 7. Notice of such primary election shall be given at least fifteen  
 2 (15) days prior to the day of the primary by the same authorities, and in the  
 3 same manner in all respects, as required to be given by the laws governing gen-  
 4 eral elections, except that no circle preceding the party appellation shall be  
 5 printed on said ballot.

6 Such notice shall be printed, or partly printed and partly written for each pri-  
 7 mary district, which notice shall state the time and place of holding the primary  
 8 election in the primary district, the hours during which the polls will be open,  
 9 the offices for which candidates will be voted for at such primary election in  
 10 said primary district, and the political parties entitled to participate therein.  
 11 Such notice shall be posted in three public places in each election district. But  
 12 no failure or error in noticing shall invalidate any primary actually held, and  
 13 any primary held pursuant to any notice substantially like the above notice shall  
 14 be deemed to be held under this Act, and all justices of the peace and all judges  
 15 of courts of record in the territory for which such primary is called shall take  
 16 judicial notice of the holding of such primary under this Act.

17 The provisions of the statutes now in force in relation to the holding of  
 18 elections, whether as to notice, certification of nominations, printing of ballots,  
 19 the solicitation of voters at the polls, the challenging of voters, the manner of

20 conducting elections, of counting the ballots and making and canvassing the re-  
 21 turns thereof and all other kindred subjects, shall apply to all primaries, in so  
 22 far as they are consistent with this Act, the intent of this Act being to place the  
 23 primary under the regulation and protection of the laws now in force as to  
 24 elections.

Sec. 8. The name of no candidate for nomination at any primary shall be  
 2 printed upon the primary ballot, unless at least twenty days and not more than  
 3 thirty days prior thereto, such candidate shall file a statement of his intention  
 4 substantially in the following form:

5 "I, ....., of ....., in the county of ....., and State of  
 6 Illinois, certify that I am a member of and affiliate with the.....party,  
 7 and I hereby declare my intention of becoming a.....candidate for the  
 8 nomination for.....and I hereby request that my name be  
 (describe the office)

9 placed upon the official primary ballot of said.....party.  
 10 .....

Sec. 9. Any voter at such primary election may, instead of voting for any  
 2 person whose name is printed on said ballot, write in the name of any other  
 3 person affiliated with such party not a candidate on any other ticket, upon the  
 4 ticket of his choice, as a candidate for any office, and indicate his choice of such  
 5 candidate in the same manner as if his name had been printed thereon.

Sec. 10. All such written statements of intention to become a candidate for  
 2 any public office in any city, village or incorporated town hereafter adopting  
 3 this Act, shall be filed with the clerk thereof.

Sec. 11. The person receiving the highest number of votes at a primary as  
 2 the candidate of a party for any such office, shall be the candidate of that party  
 3 for such office, and his name as such candidate shall be placed on the official bal-  
 4 lot, at the following election: *Provided, however,* That where there shall be  
 5 two or more persons to be nominated for the same office or board, the persons  
 6 receiving the highest number of votes shall be nominated and their names shall  
 7 be placed on the official ballot at the following election.

Sec. 12. The County Central Committee of each political party, for any  
 2 primary district held in such county, may appoint in writing one regular chal-  
 3 lenger for such party: *Provided,* That upon application in writing signed by  
 4 any candidate affected by the vote of said primary, he may select an additional  
 5 challenger. All challengers shall be qualified primary electors in their respect-  
 6 ive primary district: *Provided, however,* That in districts where any party has  
 7 no qualified voter in said primary district, then the chairman of the County Cen-  
 8 tral Committee shall select some qualified voter in any such city, village or incor-  
 9 porated town to act as such challenger in such district and said challenger so  
 10 selected shall have all the rights and powers as a challenger at any general elec-  
 11 tion. The right of any person to vote at a primary may be challenged upon the  
 12 same ground and his right to vote be determined in the same manner as at an  
 13 election. No person shall be entitled to vote at any primary, unless a qualified  
 14 elector of the primary district. Any person desiring to vote shall state his  
 15 name, residence and party affiliation to the primary judges, one of whom shall  
 16 thereupon announce the name in a loud and distinct tone of voice. If the per-  
 17 son desiring to vote is not challenged, one of the primary judges shall give to  
 18 him one, and only one ballot, of the political party with which he declares him-  
 19 self affiliated, on the back of which ballot such primary judge shall endorse his

initials in such manner that they may be seen when the ballot is properly folded. If the person desiring to vote is challenged, he shall not receive a ballot until he shall have established his right to vote, as hereinbefore provided. No person who refuses to state his party affiliation shall be allowed to vote at a primary election.

Sec. 13. In cities, villages and incorporated towns hereafter adopting this Act, as herein provided, the clerk thereof, or the board of election commissioners, as the case may be, shall prepare and cause to be printed the "Official Primary Ballot" of each political party for each primary district in his respective city, village or incorporated town, which primary ballot shall contain the name of each candidate whose written request has been filed as herein provided.

Sec. 14. The primary ballot of each political party shall be separately printed upon paper of uniform quality, texture and size and in black ink; but the "Primary Ballot" of no two political parties shall be of the same color or tint.

The clerk or board of election commissioners of any city, village or incorporated town, as the case may be, shall, at least fifteen (15) days prior to the date of the primary, post in a conspicuous place in the office of such clerk or board, an announcement of the color of the primary ballots of the respective parties and shall also publish such announcement, for at least one week, in at least two newspapers of general circulation in such city, village or incorporated town.

On the back, or outside, of the "Official Primary Ballot" of each primary district, so as to appear when folded, shall be printed the words "Official Primary Ballot" followed by the designation of said primary district, the date of the primary and a *fac simile* of the signature of such clerk or board.



Such clerk or board shall cause to be delivered to the primary judges of each primary district, not less than twelve hours before the time fixed for the opening of the polls of the primary, the official primary ballots of each political party; and the number thereof for each political party in each primary district shall be one hundred ballots for each fifty votes cast in said primary district by said political party at the last preceding general election.

The official primary ballots shall be put up in separate sealed packages, with marks on the outside clearly designating the primary district for which they were intended, and the number of ballots enclosed for each political party, and a receipt therefor shall be given by the primary judge to whom such ballots are delivered, which receipt shall be filed in the office of such clerk or board.

Such clerk or board shall provide and retain in the office of such clerk or board until after the primary an ample supply of extra official primary ballots for each political party in each primary district, and if at any time before or during the primary election the official primary ballots of any primary district shall be lost, destroyed or exhausted, on written application, signed by the primary judges of said primary district or any one of them, he shall immediately cause to be delivered to said primary judges such supply of extra official primary ballots as may be required to comply with the provisions of this Act.

Sec. 15. On the primary election ballot, where any party entitled to nominate candidates has no name of a person as a candidate for any named office, the designation of the office shall be printed, and beneath the designation of each office shall be printed a line with a square to the left thereof, on which line the voter may write in the name of any person for whom he may see fit to vote for said office, and when two or more candidates are to be nominated



7 for any office herein provided for, there shall be as many lines as there are can-  
 8 didates to be elected to said office.

Sec. 16. Primary election ballot boxes shall be furnished by the same au-  
 2 thorities and in the same manner and shall be of the same style and description  
 3 as ballot boxes furnished for the purpose of general elections under the gen-  
 4 eral law of this State.

Sec. 17. The Clerk of the city, village or incorporated town, or Board of  
 2 Election Commissioners, as the case may be, shall furnish the primary judges  
 3 and clerks of each primary district all necessary supplies, including registry  
 4 poll books and tally sheets. The expense of conducting such primaries, includ-  
 5 ing salaries of judges and clerks, the cost of ballot boxes, booths, registry  
 6 books and poll books, return sheets, stationery supplies, including the print-  
 7 ing and furnishing of primary ballots, polling places and such other expenses  
 8 as are necessary and incidental to the carrying out of the provisions of this  
 9 Act, shall be paid by the same authorities and in the same manner as under the  
 10 general elections laws of this State.

Sec. 18. Any person voted for at any such primary election, and declared  
 2 defeated, may contest the election of the candidates nominated upon the face  
 3 of the returns, and if he desires, he may secure a recount of the ballots cast  
 4 for that office, -by filing with the County Clerk or the Board of Elec-  
 5 tion Commissioners, as the case may be, within ten (10) days after such pri-  
 6 mary election, his written demand for such recount, duly signed and acknowl-  
 7 edged by him, and thereupon, all such ballots cast by such party for said office  
 8 shall be produced before the County Judge of the county in which said  
 9 contestant was a candidate, in case of contest for any such office, and such

10 Judge shall proceed in a summary manner to recount all such ballots, and dis-  
 11 pose of any other grounds of contest and ascertain and declare by a decree,  
 12 as in chancery, to be entered of record in the proper court, the result of such  
 13 election, and shall, in so doing, be deemed as acting in his judicial capacity,  
 14 but with plenary powers for the purpose of speedily ascertaining the true results  
 15 of the election. He shall also report in writing to the State's Attorney of the  
 16 proper county, any information which may come to his observation during  
 17 such recount, which, in his opinion, tends to show any violation of this statute  
 18 by any person.

19 The decree so entered shall be final authority for the printing of the name  
 20 of the successful candidate upon the official ballot, but an appeal shall lie  
 21 from such decree to the Supreme Court, as in other cases.

22 *Provided*, That upon such appeal to the Supreme Court, the judges there-  
 23 of may convene in term time or vacation and decide such cases appealed to  
 24 them.

Sec. 19. It is hereby made the duty of the grand jury of each county,  
 2 at each and every term, to inquire into violations of this Act.

Sec. 20. Any person who shall solicit or accept any bribe or promise of gain  
 2 of any kind in the nature of a bribe, as consideration for his vote, whether such  
 3 bribe or promise of gain, in the nature of a bribe be solicited or accepted be-  
 4 fore or after such voting, shall be deemed guilty of a misdemeanor, and upon  
 5 trial and conviction thereof, shall be punished by a fine in a sum not exceed-  
 6 ing one thousand (1,000) dollars or imprisoned in the county jail for not ex-  
 7 ceeding one (1) year, or both, in the discretion of the Court.

Sec. 21. On receipt of his ballot, the voter shall forthwith and without leaving the enclosed space, retire to one of the voting booths so provided, and shall prepare his ballot by making in the appropriate margin or place an "X" in the square opposite the name of the candidate or candidates of his choice, or by writing or pasting in the name of the candidate or candidates of his choice on said ballot. Should he vote for more candidates than there are persons to be elected, then such ballot shall not be counted for any such candidates so marked, but shall be counted for the remaining candidates. If for any reason it is impossible to determine the voter's choice for any office to be filled, his ballot shall not be counted for such office.

Sec. 22. When a tie vote occurs between the candidates for an office, the tie forthwith shall be determined by lot by the election officers charged with the duty of canvassing the returns.

Sec. 23. In case of any vacancy after the primary, the same may be filled by the County Central Committee of that party upon whose ticket the vacancy occurs, of the county in which such city, village or incorporated town may be situated, as the case may be.

Sec. 24. All acts and parts of acts inconsistent with this Act are hereby repealed.

Sec. 25. Wherefore, an emergency exists, this Act shall take effect and be in force from and after its passage.

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- 1 Introduced by Mr. McRoberts, January 29, 1907.
  - 2 Read by title, ordered printed and referred to Committee on Education.

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## A BILL

For an act entitled, "An Act requiring school districts acting under special charter to hold elections for the election of school directors, members of boards of education, and members of boards of school inspectors, at the time provided for the election of school directors under the general school law of the State."

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That in all cases, where the time for the election of members of boards of directors, boards of education, and boards of school inspectors, is fixed by virtue of any special charter, such election shall be held at the time now provided, or which may hereafter be provided, for the election of school directors under the general school laws of this State now or hereafter in force.

Sec. 2. The provisions of this Act shall apply to the Board of School Inspectors of the City of Peoria, and to all other boards of directors, boards of educa-

tion, and boards of school inspectors, existing under and by virtue of any special school charter heretofore granted by the State of Illinois.

Sec. 3. WHEREAS, an emergency exists, this Act shall be in force from and after its passage.



- 1 Introduced by Mr. Mills, January 29, 1907.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

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## A BILL

For an act to amend an act entitled "An act in regard to evidence and depositions in civil cases," approved March 29, 1872, in force July 1, 1872, being chapter 51 of the Revised Statutes of 1874.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* The act entitled "An Act in regard to evidence and depositions in civil cases," approved March 29, 1872, hereby is amended, so as to add the following nine sections numbered from 49 to 57:

"Sec. 49. The party producing a witness may show that he has at other times made statements inconsistent with his present testimony.

"Sec. 50. For the purpose of impeaching a witness, the adverse party may question him as to a previous statement of his, made in writing or reduced by another to writing, without first showing or reading the writing to the witness. But

4 the adverse party must in such case produce or account for the writing, at such  
 5 later time as the trial Court may direct; unless the witness has upon cross-exami-  
 6 nation admitted its tenor to be as alleged.

“Sec. 51. No declaration of a deceased person shall be excluded as evidence on  
 2 the ground of its being hearsay, if it appears to the satisfaction of the judge to  
 3 have been made in good faith before the beginning of the suit, and upon the per-  
 4 sonal knowledge of the declarant.

5 “Sec. 52. 1. Any entry made in any public or other official book or record,  
 6 made in the performance of his duty by a public officer, is admissible as evidence  
 7 of the facts stated therein.

8 “2. The contents and authenticity of any document may be evidenced without  
 9 producing the original, by a certified copy made by the official custodian of the  
 10 original, whenever the original would be admissible for any purpose and is one of  
 11 the following classes: (a) Any public or other official book or record kept in any  
 12 official place; (b) any document, though not made in the public office or by a  
 13 public officer, which is required or authorized by law to be deposited in such an  
 14 office after due acknowledgment or other proof of authenticity taken before a notary  
 15 or equivalent officer. But in either class of cases the judge may require the original  
 16 to be produced, if justice seems to require, and if its production is otherwise  
 17 lawful.

18 “3. Whenever any certificate or other official document would be admissible when  
 19 made by a particular officer within the State, a document purporting to be such,  
 20 and purporting to bear the official seal of the officer, court, board or other official  
 21 body in question, shall be received without further evidence of genuineness; but its  
 22 genuineness may be disputed. When the officer is one without the State, the same  
 23 rule shall apply, providing the document further purports to bear attestation as is  
 24 provided for officers taking acknowledgments of deeds without the State.

“Sec. 53. Either party may apply to a Judge of the Court for an order to the  
 2 opponent to suffer the applicant or his expected witnesses to inspect before trial  
 3 any place or thing whose nature may be material on the trial; the inspection to  
 4 be accorded in manner and terms as the Judge may see fit.

“Sec. 54. The adverse party may cross-examine a witness as to any facts ma-  
 2 terial to the issues on trial.

“Sec. 55. Whenever the genuineness of a writing or part thereof is in issue, the  
 2 Judge may permit the evidential use of other specimens of writing, upon proof to  
 3 his satisfaction that they are genuinely those of the person alleged as their author;  
 4 and such specimens may then be perused in evidence by judge or jury, and may be  
 5 used as a foundation or aid of testimony by an expert witness.

“Sec. 56. Where one party is the representative of a deceased person, no oppo-  
 2 site interested party shall obtain a verdict on his own evidence in respect to any  
 3 matter occurring before the death of the deceased person, unless such evidence is  
 4 corroborated by some other evidence.

“Sec. 57. Neither husband nor wife shall be disqualified to testify, or privi-  
 2 leged from testifying, for or against the other; nor shall the husband or wife of a  
 3 witness have a privilege to prevent the witness testifying for or against such hus-  
 4 band or wife, but neither husband nor wife, without the consent of both, shall  
 5 testify to confidential communications had with the other.”

Sec. 2. The following sections in the above-named Act of March 29, 1872, are  
 2 hereby repealed, as well as all acts amendatory thereof: Sections 2 and 4, relating  
 3 to testimony against a party representing a deceased person or lunatic; Section  
 4 5, relating to testimony of husband or wife.



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Introduced by Mr. Pervier, January 29, 1907.

Read by title, ordered printed and referred to Committee on Appropriations.

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## A BILL

for an act to appropriate an additional sum of twenty-five thousand dollars for the participation of the State of Illinois in the Jamestown Ter-Centennial Exposition, to be held on Hampton Roads in the State of Virginia during the year 1907, in commemoration of the first permanent settlement of English-speaking people in America.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That in addition to the sum heretofore appropriated, there be and hereby is appropriated the sum of twenty-five thousand dollars for the participation of the State of Illinois in the Jamestown Ter-Centennial Exposition to be held on Hampton Roads in the State of Virginia during the year 1907, in commemoration of the first permanent settlement of English-speaking people in America.

Sec. 2. WHEREAS, an emergency exists, this Act shall be in force and effect from and after its passage and approval by the Governor.





AMENDMENT TO

45th Assem.

HOUSE—No. 123

May, 1907

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Amendment to House Bill No. 123, adopted by the House May 7, 1907.

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AMENDMENT NO. 1.

Amend House Bill No. 123, in Section 1, line 3 of the printed bill, by striking out the words and figures “twenty-five (25),” and inserting in lieu thereof the words and figures “five thousand (5,000).”



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- 1 Introduced by Mr. Provine, Jan. 29, 1907.
  - 2 Read by title, ordered printed and referred to Committee on Judicial Department and Practice.

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## A BILL

For an act to amend an act entitled "An Act to regulate the reporting of the decisions of the Supreme Court of this State, to fix the compensation of the reporter, to fix the price of said reports, to provide for the purchase of certain copies thereof by the State and for their distribution, approved May 17, 1877, in force July 1, 1877," by striking out Section 1 and inserting the following sections:

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the copyrights of all Supreme Court Reports hereafter published shall vest in the Secretary of State for the benefit of the people of this State.

Sec. 2. The reporter of said court shall, in conformity with the rules of the court, within four months after a sufficient number of opinions to constitute a volume have been rendered, prepare the same for printing and superintend the print-

ing and distribution as provided in this Act. He shall perform such other duties and in such manner, as the Supreme Court may, from time to time, by rule, prescribe. Said reporter shall receive, as his sole compensation, a salary of six thousand dollars (\$6,000) per annum, payable out of the State Treasury in quarterly yearly installments, upon the warrant of the Auditor of Public Accounts. In event said reporter shall be in default in the prompt discharge of any of the duties imposed upon him in this Act he shall receive no salary for such period, unless the Supreme Court shall certify to the said Auditor of Public Accounts, that such default could not have been avoided by the exercise of due diligence by said reporter. Said reporter shall be allowed one assistant to be appointed by the Supreme Court and subject to removal by it, who shall perform such duties as the reporter may require, and shall receive an annual salary of two thousand dollars (\$2,000) per annum, payable out of the State Treasury in quarterly yearly installments upon warrant of the Auditor of Public Accounts.

Sec. 3. Each volume of reports hereafter to be published shall contain not less than seven hundred pages, and shall be of the same general character, typographically, as those heretofore published by the present reporter, subject to such changes as the Court may, from time to time, specially direct. The paper upon which the reports may be printed shall be clear, white paper, supersized and calendered, and of not less than 50 lbs. to the ream. The binding shall be of the best law sheep or buckram, without blemish or patches and the boards used in binding shall be good tar boards. The publication of the volumes of the Supreme Court Reports, including the making of stereotype plates to be used in printing future editions shall be a part of the public printing and binding of the State, and shall be done upon contract let by the Commissioners of State Contracts, in the same manner, and shall be paid for in the same manner as is provided by law for other like work, except as modified by this Act: Said contract shall begin and be in force



14 on the first day of September, 1907, and be renewed every five years thereafter  
 15 and at no other time. Any contract let by the Commissioners of State Contracts  
 16 in relation hereto, shall provide for the prompt and proper printing and binding  
 17 of said Reports, and for a deduction of ten per cent of the contract price upon fail-  
 18 ure, in any manner, to comply with the terms of said contract. And in order to  
 19 expedite the publication and issue of current volumes of the said Reports, the print-  
 20 ing and binding contract for the publication thereof shall be let in one item to the  
 21 lowest bidder, who shall within twenty days from the letting of said bids, and be-  
 22 fore entering upon said contract, execute and deliver to the Commissioners of State  
 23 Contracts, a good and sufficient bond for the faithful performance thereof, in such  
 24 sum and upon such conditions as shall be approved by the Supreme Court.

Sec. 4. The price per volume of said Reports shall be one dollar and fifty cents  
 2 (\$1.50), and the reporter is hereby authorized and directed to fill all orders for the  
 3 same at that price, to be paid to him in advance, and the price of such Reports  
 4 shall not include transportation charges, and the said reporter shall attend to the  
 5 shipping and clerical work attending the sale and distribution of said Reports:  
 6 *Provided*, that not more than three (3) copies of any one volume of said Reports  
 7 shall be sold to any one individual, partnership or corporation, unless the pro-  
 8 posed purchaser thereof shall present, with his order, an affidavit showing that  
 9 said volumes are not to be delivered or sold to any person, partnership or corpor-  
 10 ation for the purpose of creating a monopoly of the sale of the Supreme Court Re-  
 11 ports of this State. All moneys realized from the sale of such Reports shall be  
 12 paid quarterly into the State Treasury by the reporter, and shall become a part of  
 13 the general revenue of the State.

Sec. 5. On the publication of each volume of said Reports the reporter shall  
 2 furnish to the Secretary of State, for free distribution by him as follows: Five

3 copies to the library of Congress, one copy to the President of the United States,  
4 one copy to each state and territorial library, one copy to each Judge of the Su-  
5 preme Court of this State, one copy to each Judge of the Circuit Courts of this  
6 State, one copy to each Judge of the Superior Court of Cook county, one copy to  
7 each Judge of a City Court in this State, one copy to each Municipal Court Judge  
8 in the City of Chicago, one copy to the Clerk of each of the courts of record in this  
9 State, one copy to each State officer required to reside at the seat of government;  
10 six copies to be deposited in the library of the Supreme Court; six copies shall be  
11 deposited in the State Library.

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- 1 Introduced by Mr. Provine, January 29, 1907.
  - 2 Read by title, ordered printed and referred to Committee on Judicial Department and Practice.

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## A BILL

For an act to provide for and regulate the publication and distribution of the decisions of the Appellate Courts of this State, to provide for a reporter thereof and to fix his compensation.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That there shall be for the Appellate  
3 Courts in this State one series of reports to be known as Appellate Court Re-  
4 ports of Illinois, to be numbered consecutively and to include the volumes  
5 known as Illinois Appellate Court Reports, and published prior to the publica-  
6 tions of the first volume under authority hereof. The copyrights of all Appel-  
7 late Court Reports hereafter published shall vest in the Secretary of State for  
8 the benefit of the People of this State.

Sec. 2. At the October term, 1907, of the Supreme Court or as soon there-  
2 after as practicable the Judges of the Supreme Court shall appoint a reporter

3 for the Appellate Courts of this State, whose term of office shall be six years, or  
 4 unless sooner removed by order of said Supreme Court and his sole compensa-  
 5 tion shall be the sum of six thousand dollars (\$6,000.00) per annum payable out  
 6 of the State Treasury in quarter yearly installments, upon the warrant of the  
 7 Auditor of Public Accounts. The Supreme Court shall appoint an assistant  
 8 Appellate Court reporter, whose sole compensation shall be the sum of two  
 9 thousand dollars (\$2,000.00) per annum, payable in the same manner as the sal-  
 10 ary of the said reporter.

Sec. 3. It shall be the duty of the reporter of the Appellate Courts to re-  
 2 ceive all opinions that shall be unpublished at the time of his taking said office  
 3 and which may be thereafter decided during his term of office. The clerks of  
 4 the Appellate Courts shall furnish the reporter without cost, the opinions of the  
 5 Judges of the Appellate Courts and the abstracts, briefs and other papers filed in  
 6 their office, for the purpose of making out the reports. The opinions of the Ap-  
 7 pellate Courts shall be published in full as decided by the Judges, with an anal-  
 8 ysis or syllabus of the points decided. Whenever the opinions thus prepared  
 9 for publication shall make a volume of seven hundred pages, as near as may be,  
 10 the reporter shall prefix a table of cases reported therein, and a like table of  
 11 cases cited by the court; add an index thereto and superintend the printing and  
 12 binding thereof, and see that the same are properly done.

Sec. 4. Each volume of reports hereafter to be published shall contain not  
 2 less than seven hundred pages, and shall be of the same general character, typog-  
 3 graphically, as the Supreme Court reports. The paper upon which the reports  
 4 may be printed shall be clear white paper, supersized and calendered, and of not  
 5 less than 50 lbs. to the ream. The binding shall be of the best law sheep or buck-  
 6 ram, without blemish or patches, and the boards used in the binding shall be



7 good tar boards. The publication of the volume of Appellate Court reports in-  
 8 cluding the making of stereotype plates to be used in printing future editions  
 9 shall be a part of the public printing and binding of the State, and shall be done  
 10 upon contract let by the Commissioners of State Contracts, in the same manner,  
 11 and shall be paid for in the same manner as is provided by law for other like  
 12 work, except as modified by this Act; said contract shall begin and be in force on  
 13 the first day of November, 1907, and be renewed every five years thereafter and  
 14 at no other time. Any contract let by the Commissioners of State Contracts in  
 15 relation hereto, shall provide for the prompt and proper printing and binding of  
 16 said reports, and for a deduction of ten per cent of the contract price upon fail-  
 17 ure, in any manner, to comply with the terms of said contract. And in order to  
 18 expedite the publication and issue of current volumes of said reports, the  
 19 printing and binding contract for the publication thereof, shall be let in one  
 20 item to the lowest bidder, who shall within twenty days from the letting of said  
 21 bids, and before entering upon said contracts, execute and deliver to the Com-  
 22 missioners of State Contracts, a good and sufficient bond for the faithful per-  
 23 formance thereof, in such sum and upon such conditions as shall be approved by  
 24 the Supreme Court.

Sec. 5. The price per volume of said reports shall be \$1.50 and the re-  
 2 porter is hereby authorized and directed to fill all orders for the same at that  
 3 price to be paid to him in advance, and the price of such reports shall not include  
 4 transportation charges, and the said reporter shall attend to the shipping and  
 5 clerical work attending the sale and distribution of said reports: *Provided,*  
 6 That not more than three copies of any one volume of said reports shall be sold  
 7 to any one individual, partnership or corporation, unless the proposed pur-  
 8 chaser thereof shall present with his order, an affidavit showing that said vol-  
 9 umes are not to be delivered or sold to any persons, partnerships or corporation



10 for the purpose of creating a monopoly of the sale of the Appellate Court reports  
11 of this State. All moneys realized from the sale of such reports shall be paid  
12 quarterly into the State Treasury by the reporter, and shall become a part of the  
13 general revenue of the State.

Sec. 6. On the publication of each volume of said reports the reporter  
2 shall furnish to the Secretary of State for free distribution by him as follows:  
3 Five copies to the library of Congress, one copy to the President of the United  
4 States, one copy to each State and Territorial library, one copy to each judge of  
5 the Supreme Court of this State, one copy to each judge of the Circuit Courts  
6 of this State, one copy to each judge of the Superior Court of Cook county, one  
7 copy to each judge of a City Court in this State, one copy to each Municipal  
8 Court judge in the city of Chicago, one copy to each State officer required to  
9 reside at the seat of government, six copies to be deposited in the library of  
10 the Supreme Court, two copies shall be deposited in the State Library.

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- 1 Introduced by Mr. Reynolds, January 29, 1907.
  - 2 Read by title, ordered printed and referred to Committee on Judicial Department and Practice.

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## A BILL

For an act to provide for and regulate the publication and distribution of the decisions of the Supreme and Appellate Courts of this State.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That the salary of the reporter of the  
3 Supreme Court, appointed pursuant to the provisions of the Constitution, shall  
4 be fixed at the sum of six thousand dollars per annum, payable out of the State  
5 Treasury in quarterly installments, upon warrants issued by the Auditor of  
6 Public Accounts; and, the office of reporter of the Appellate Courts of this  
7 State is hereby created, and it is hereby made the duty of the judges of the  
8 Supreme Court, within thirty days after this Act shall take effect, to appoint a  
9 reporter for the Appellate Courts whose term of office shall be six years, and  
0 his salary is hereby fixed at the sum of six thousand dollars per annum, pay-

11 able in like manner as the salary of the reporter of the Supreme Court; and  
 12 said appointment shall be concurred in by a majority of the members of the  
 13 Supreme Court, and shall be entered of record by said court, and a certified  
 14 copy of the order of appointment shall be issued to the appointee which shall  
 15 be evidence of his title to and right to fill the said office.

Sec. 2. The Supreme Court may in like manner appoint for each, the Su-  
 2 preme and Appellate Court reporters, not more than two assistants and fix  
 3 their salaries at not to exceed the sum of two thousand dollars per year, pay-  
 4 able in like manner as the salaries of the Supreme and Appellate Court re-  
 5 porters shall be paid, but before the Supreme Court shall appoint any assis-  
 6 tant reporter an order shall be entered of record certifying that the appoint-  
 7 ment of such assistant or assistants is necessary to the prompt and efficient re-  
 8 porting and editing of the decisions of the Supreme or Appellate Courts, or  
 9 both, as the case may be, and the salary of such assistant or assistants shall  
 10 be fixed in such order, and said order shall be signed by not less than five  
 11 judges of the court before the same shall be effective.

Sec. 3. All opinions of the Supreme and Appellate Courts shall by the  
 2 reporters of the respective courts and their assistants be edited and published  
 3 in full as decided by the judges, with an analysis or syllabus of the points de-  
 4 cided after the manner in which the decisions of the Supreme Court are now  
 5 published.

Sec. 4. The reporters of the Supreme and Appellate Courts shall each  
 2 be provided with a suitable office, properly lighted and heated and provided  
 3 with furniture and stationery, in the State House or at some other place pro-  
 4 vided by the State, at Springfield; and they shall be allowed to use the manu-

5 script opinions of the judges, and the records, briefs and other papers filed  
 6 in the offices of the clerks of the respective courts for the purpose of prepar-  
 7 ing and editing said opinions for publication. The copyright of each volume  
 8 head note and syllabus shall be entered by its respective reporter for the bene-  
 9 fit of the State and all papers relating thereto shall be filed and recorded in the  
 10 office of the Secretary of State. The reporting of the Supreme Court and the  
 11 Appellate Courts shall be done with promptness and uniformity, and the  
 12 style, printing and binding of said reports shall be done in conformity with  
 13 such rules and regulations as shall be prescribed by the Supreme Court. The  
 14 printing, publication and binding of the reports of the decisions of the Supreme  
 15 and Appellate Courts shall be done by the State on good paper and with  
 16 good, clear type of the sizes used in printing the Supreme Court reports now  
 17 currently issued, and upon pages to correspond therewith. Said reports as  
 18 issued shall be stereotyped and the stereotype plates shall be and remain the  
 19 property of the State, and shall be preserved by the Secretary of State for the  
 20 publication of future editions when needed. The binding of said reports shall  
 21 be of first-class workmanship, in full law sheet, best quality of lamb leather, or  
 22 of first quality of American or English buckram as directed by the rules of  
 23 the Supreme Court.

Sec. 5. The publication of the Supreme and Appellate Court reports, in-  
 2 cluding the making of stereotype plates to be used in printing future editions,  
 3 shall be a part of the public printing and binding of the State, and shall be  
 4 done upon contracts let by the Commissioners of State Contracts, in the same  
 5 manner, and shall be paid for in the same manner as is provided by law for  
 6 other like work, except as modified by this Act.



Sec. 6. The reporters of the Supreme and Appellate Courts shall within three months after the manuscript opinions of the respective courts shall have been placed in their hands sufficient to compose a volume of the reports have the same ready for publication, and within four months thereafter such report shall be printed and bound and ready for delivery, and all contracts let by the Commissioners of State Contracts shall provide for the printing and binding of said reports as rapidly as one volume per month, and for a deduction of ten per cent of the contract price upon failure to print and bind any volume within the time fixed by such contract. And in order to expedite the publication and issue of current volumes of the reports the printing and binding contract for the publication thereof shall be let in one item to the lowest bidder.

If the reporter of either the Supreme or Appellate Court shall fail to have any volume of reports ready for publication within the time or in the manner provided by law, it shall be the duty of the Chief Justice of the Supreme Court to make inquiry into the cause of the delay and notify the Auditor of Public Accounts thereof, and the next succeeding quarter's salary of such reporter shall not be payable until an order shall be entered by the Supreme Court, which shall state the cause of the delay and recite a finding that the same was unavoidable by reasonable diligence, which order shall be signed by not less than five of the justices of said court before the same shall be effective, and thereafter such quarter's salary may be paid.

The reporters of both the Supreme and Appellate Courts shall proceed at once to prepare and publish an edition of each the Supreme and Appellate Court decisions, including all the decisions of such courts from the organization thereof, down to the continuations of such reports which shall be publish-



26 ed under the provisions hereof, which in amount of matter per volume, and  
 27 serial number, shall be uniform with the editions of such reports already pub-  
 28 lished, and in style and workmanship shall be uniform with such continua-  
 29 tions. And stereotype plates shall be made thereof and shall be placed in the  
 30 custody of the Secretary of State, which shall remain the property of the State  
 31 in like manner, as is provided by this Act with respect to plates made for the  
 32 continuations of said reports: *Provided*, That the Commissioners of State  
 33 Contracts may purchase at an expense not to exceed the cost of reproducing  
 34 the same stereotype plates of any volume or volumes of the Supreme or Appel-  
 35 late reports which may be the property of any person or corporation, such pur-  
 36 chase to include all copyrights owned or claimed on the reports or matter  
 37 thereof covered by such plates. And if any such plates shall be so purchased  
 38 by the Commissioners of State Contracts the same shall be in lieu of new  
 39 plates to be otherwise made as provided by the preceding provisions.

Sec. 7. Editions of the reports of the Supreme and Appellate Courts  
 2 shall be issued from time to time as shall be determined by the order of the  
 3 Supreme Court, upon information to be furnished to it by the Secretary of  
 4 State, to be necessary to supply the demand for the same, and they shall be  
 5 printed and published under the direction of the Secretary of State, and shall be  
 6 retained in his custody, and by him be distributed and sold. And it is hereby  
 7 made the duty of the Secretary of State to furnish said information to the Su-  
 8 preme Court a reasonable length of time before any edition is exhausted. The  
 9 distribution of said reports shall be continued as to the Supreme Court reports,  
 10 in the same manner as is already provided by law, and continuations of the re-  
 11 ports of the Appellate Court shall be distributed in like manner as is provided  
 12 for the distribution of the reports of the Supreme Court.

Sec. 8. The price of the reports of the Supreme and Appellate Courts is hereby fixed at the sum of one dollar and fifty cents per volume, and the Secretary of State is authorized to fill all orders for the same at that price, to be paid in advance, and the price of such reports shall not include transportation charges, which shall be paid by the purchaser: *Provided*, That not more than two sets of reports shall be sold to one person unless he shall present with his order an affidavit showing what use he proposes to make of such reports, and stating that the same are not purchased for sale to any other person, and that he is not procuring them to be delivered or sold to any jobber or bookseller, or for the purpose of creating any monopoly of the sale of the Supreme or Appellate Court reports of this State; and the Secretary of State shall not fill any order for a set of either the Supreme or Appellate Court reports if he has reason to believe that the same is not for the use of the person purchasing the same except a like affidavit shall accompany the order. And any person making a false affidavit to procure a copy of such reports shall be amenable to the penalties for perjury.

All moneys realized from the sale of such reports shall be paid into the State Treasury and shall become a part of the general revenue of the State.

Sec. 9. If it shall be necessary in order to place the publication and sale of the reports of the Supreme and Appellate Courts in the hands of the State, that editions thereof shall be prepared and published, including all decisions of said courts or either of them, authority is hereby granted to, and it shall be the duty of the Supreme Court to appoint, in like manner as herein provided, such assistants to the reporters of the Supreme and Appellate Courts as shall be necessary to facilitate and accomplish the editorial work of preparing the opinions of

8 such court or courts for publication and publishing the same; the salary of such  
 9 assistants to be fixed and paid as herein provided for other assistants, and the  
 10 authority conferred by this section is temporary only for the purpose herein  
 11 mentioned and not otherwise, it being the intent hereof to place the publication  
 12 and distribution of the decisions and reports of said courts in the hands of  
 13 the State, and to provide for furnishing the same to the public at a cost of pub-  
 14 lication, and this Act shall be so construed as to effect that end.

15 Nothing in this Act shall be construed, however, to prevent the reporter of  
 16 either the Supreme or Appellate Court from issuing at his own expense advance  
 17 sheets of the opinions of either the Supreme or Appellate Court, at a cost of not  
 18 to exceed four dollars per year for the Supreme and four dollars per year for  
 19 the Appellate Court advance sheets, but the publication of such sheets shall not  
 20 be permitted to interfere with the prompt issue of the bound volumes of the re-  
 21 ports.

Sec. 10. The reports of both the Appellate and Supreme Courts shall be  
 2 published as rapidly as practicable and without unreasonable delay; and, for in-  
 3 efficiency, neglect, incompetency, or for failure to observe and comply with any  
 4 rule adopted by the Supreme Court for the regulation of reporting, it shall be  
 5 the duty of the Supreme Court to remove either of said reporters or any of  
 6 their assistants from office and fill the vacancy in the manner provided by this  
 7 Act.

Sec. 11. This Act is not intended to repeal any other law on the same sub-  
 2 ject except wherein it conflicts therewith, but to such extent only all acts and  
 3 parts of acts which conflict herewith are hereby repealed.





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- 1 Introduced by Mr. Schaefer, Jan. 29, 1907.
  - 2 Read by title, ordered printed and referred to Committee on Railroads.

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## A BILL

For an act to amend Section Twenty-Five (25) of an act entitled "An Act in relation to fencing and operating railroads," approved March 31, 1874, in force July 1, 1874.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*  
2 *General Assembly:* That Section Twenty-Five (25) of an act entitled "An Act in  
3 Relation to Fencing and Operating Railroads," approved March 31, 1874, be, and  
4 the same is hereby amended to read as follows:

Sec. 2. Section 25. Every railroad corporation shall cause its passenger trains  
2 to stop upon *their* arrival at each station advertised by such corporation, as a  
3 place for receiving and discharging passengers upon and from such trains, a suffi-  
4 cient length of time to receive and let off such passengers with safety: *Provided,*  
5 *every such corporation shall advertise at least four passenger trains to be stopped*  
6 *each day at each station along the line of its railroad, two of which trains shall be run*  
7 *over such railroad, one going each way, between the hours of six (6) o'clock A. M.,*



8 and eleven (11) o'clock A. M., and the other two shall be run over such railroad, one  
9 going each way, between the hours of three (3) o'clock P. M., and eight (8) o'clock P.  
10 M.: And, *Provided*, all regular passenger trains shall stop a sufficient length of  
11 time at the railroad station of county seats, to receive and let off passengers with  
12 safety: *But, Provided further*, that where three (3) regular passenger trains each  
13 way each day are so stoppel at the railroad stations of county seats on any di-  
14 vision of any railroad in this State, it shall be lawful for not more than two (2)  
15 through express or mail passenger trains, carrying mail or express and passengers  
16 from one state to another, each way each day, to pass through the railroad sta-  
17 tions of county seats on such division, in this State without stopping.

1 Introduced by Mr. ApMadoc, January 30, 1907.

2 Read by title, ordered printed and referred to Committee on Municipal Corpora-  
tions.

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## A BILL

For an act to amend sections 65 and 67 of an act entitled, "An Act concerning local  
improvements," approved June 14, 1897, in force July 1, 1897, as amended by the  
act in force May 9, 1901.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That sections 65 and 67 of an act con-  
3 cerning local improvements, approved June 14, 1897, in force July 1, 1897, as  
4 amended by the act in force May 9, 1901, be, and the same hereby are amend-  
5 ed to read as follows:

Sec. 65. It shall be the duty of the Collector on or before the *tenth day of*  
2 *January* in each year, to make a report in writing to the general officer of the  
3 county authorized or to be designated by the general revenue laws of this State  
4 to apply for judgment and sell lands for taxes due the county and State, of

5 all the land, town lots, and real property on which he shall be unable to collect  
 6 special assessments, or installments thereof matured and payable, or inter-  
 7 est thereon, or interest due to the second day of January *of that year* on install-  
 8 ments not yet matured on all warrants in his hands, with the amount of such de-  
 9 linquent special assessment or installments and interest together with his war-  
 10 rants; or, in case of an assessment levied to be paid by installments, with a  
 11 brief description of the nature of the warrant or warrants received by him au-  
 12 thorizing the collection thereof, which report shall be accompanied with the oath  
 13 of the Collector that the list is a correct return and report of the land, town lots  
 14 and real property on which the special assessment (or special tax levied by the  
 15 authority of the City of .....or Town or Village of ..... as  
 16 the case may be), or installments thereof, or interest, remaining due and un-  
 17 paid; that he is unable to collect the same, or any part thereof, and that he has  
 18 given the notice required by law that such warrants have been received by him  
 19 for collection.

Sec. 67. When such general officer shall receive the report above provided  
 2 for, he shall proceed to obtain judgment against said lots and parcels of land  
 3 and property for said special assessments and said special taxes, or installments  
 4 thereof, and interest remaining due and unpaid, in the same manner as is or  
 5 may be by law provided for obtaining judgment against lands for taxes due  
 6 and unpaid the county or State; and shall in the same manner proceed to  
 7 sell the same for the said special assessments, special taxes or installments  
 8 thereof, and interest remaining due and unpaid. In obtaining such judg-  
 9 ments and making such sale, the said officer shall be governed by the gen-  
 10 eral revenue law of the State, except when otherwise provided herein. No appli-  
 11 cation for judgment against lands for unpaid special taxes or special assessments

12 shall be made at a time different from the annual application for judgment against  
13 lands upon which general taxes remain due and unpaid. The application for  
14 judgment upon delinquent special assessments or special taxes in each year  
15 shall include only such special assessments, special taxes, or installments  
16 thereof, and interest as shall have been *returned to the County Collector on or*  
17 *before the tenth day of January* in the year in which said application is made:  
18 *Provided*, That such judgment of sale shall include interest on matured install-  
19 ments up to the date of such judgment, as herein provided.





- 1 Introduced by Mr. ApMadoc, January 30, 1907.
- 2 Read by title, ordered printed and referred to Committee on Revenue.

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## A BILL

For an act to amend sections 114, 116, 178 and 279 of an act entitled, "An Act for the assessment of property and for the levy and collection of taxes," approved March 30, 1872, in force July 1, 1872, and all subsequent amendments thereto.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That sections 114, 116, 178 and 279 of  
3 an act for the assessment of property and for the levy and collection of taxes,  
4 approved March 30, 1872, in force July 1, 1872, and all subsequent amendments  
5 thereto, be, and the same hereby are, amended to read as follows:

Sec. 114. *Said board shall complete its assessments and equalization of as-*  
2 *sessments on or before the 15th day of October in each year.* When said board  
3 shall have completed its equalization of assessments, for any year, the chair-  
4 man and secretary shall certify to the Auditor the rates finally determined by  
5 said board to be added to or deducted from the listed or assessed valuation of

6 each class of property in the several counties, and also the amounts assess-  
7 ed by said board; and it shall be the duty of said Auditor, under his seal of  
8 office, to report the action of the board to the several county clerks, imme-  
9 diately after the adjournment of said board.

Sec. 116. The Secretary of State shall furnish such printing, fuel, lights  
2 and rooms as may be necessary for the transaction of the business of said board.  
3 Each member of said board shall receive for his services the sum of \$5 per  
4 day during its sessions, and ten cents per mile for each mile necessarily trav-  
5 eled in going to and returning from the seat of government, to be computed  
6 by the Auditor of Public Accounts, and no other allowance or emolument, direct-  
7 ly or indirectly, for any purpose whatever, except the sum of \$10 per session  
8 to each member, which shall be in full for postage, stationery, newspapers and  
9 all other incidentals and perquisites. The pay and mileage allowed to each  
10 member of said board, and the pay allowed to its secretaries and employees,  
11 shall be certified by the chairman of the board to the Auditor of Public Ac-  
12 counts, who shall issue his warrants on the State Treasurer therefor.  
13 Said board may employ one page, at \$2 per day; two secretaries, at \$5 per  
14 day each; and one janitor or doorkeeper at \$3 per day. Two-thirds of the  
15 whole number of members shall constitute a quorum, and said board may ad-  
16 journ from time to time until the business before it is disposed of: *Provided,*  
17 *however, beginning with the term of office of the State Board to be elected*  
18 *at the general election in November, A. D. 1908, each member of said board*  
19 *shall receive for his services the sum of \$1,000 per annum, and ten cents per*  
20 *mile for each mile necessarily traveled in going to and returning from the seat*  
21 *of government, to be computed by the Auditor of Public Accounts, and no*  
22 *allowance or emolument, directly or indirectly, for any purpose whatever,*

23 *except the sum of \$10 per session to each member, which shall be in full*  
 24 *for postage, stationery, newspapers, and all other incidentals and perquisites.*  
 25 *The pay and mileage allowed to each member of said board, and the pay al-*  
 26 *lowed to its secretaries and employees, shall be certified by the chairman of the*  
 27 *board to the Auditor of Public Accounts, who shall issue his warrants on the*  
 28 *State Treasurer therefor.*

Sec. 178. When any special assessment made by any city, town or village,  
 2 pursuant to its charter, or by any corporate authorities, commissioners or per-  
 3 sons, pursuant to law, remain unpaid in whole or in part, return thereof shall  
 4 be made to the county collector on or before the *tenth day of January* next after  
 5 the same shall have become payable, in like forms as returns are made for delin-  
 6 quent land tax. County collectors shall collect, account for, and pay over the  
 7 same to the authorities or persons having authority to receive the same, in like  
 8 manner as they are required to collect, account for and pay over taxes. The coun-  
 9 ty collector may, upon return of delinquent special assessments to him, transfer  
 10 the amounts thereof from such returns to the tax books in his hands, setting down  
 11 therein, opposite the respective tracts or lots, in proper columns to be prepared  
 12 for that purpose, the amounts assessed against such tract or lot.

Sec. 279. When any special assessment is not returned to the county collector  
 2 on or before the *tenth day of January* next after it is due, the same may be re-  
 3 turned on or before the *tenth day of January* in the succeeding year; and if not  
 4 then returned it shall be considered barred, unless return is prevented by an in-  
 5 junction or order of court; and the time such return is thus prevented shall be ex-  
 6 cluded from the computation of such time.



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Amendment to House Bill No. 129, adopted by the House February 21, 1907.

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Amend House Bill No. 129 by striking out the numbers "114 and 116" from line 1 of the title of the bill, and from line two following the enacting clause, and cancelling all of section 114 and section 116 from said bill.





1 Introduced by Mr. ApMadoc, January 30, 1907.

2 Read by title, ordered printed and referred to Committee on Revenue.

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## A BILL

For an Act to amend Section 52 of an Act entitled, "An Act for the assessment of property and providing the means therefor, and to repeal a certain act therein named," approved February 25, 1898, in force July 1, 1898.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in*  
 2 *the General Assembly:* That Section 52 of "An Act for the assessment of property  
 3 and providing the means therefor, and to repeal a certain act therein named," ap-  
 4 proved February 25, 1898, in force July 1, 1898, be, and hereby is amended to  
 5 read as follows:

Section 52. The County Clerk shall hereafter deliver to the town, district or  
 2 County Collectors the books for the collection of taxes on the *second* day of Jan-  
 3 uary following the year on which such taxes are levied instead of the twentieth  
 4 day of December of such year, as heretofore provided by law.



AMENDMENT TO

45th Assem.

HOUSE—No. 130

Feb. 1907

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Amendment to House Bill No. 130, adopted by the House February 21, 1907.

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Amend House Bill No. 130 by placing a period after the word "levied" in line 4 of section 52 and cancelling all of said section following said word.





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- 1 Introduced by Mr. Clapsaddle, January 30, 1907.
  - 2 Read by title, ordered printed and referred to Committee on Judicial\* Department  
and Practice.

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## A BILL

For an act to amend section ninety-five (95) of an act entitled "An Act in regard to the administration of estates," approved April 1, 1872, in force July 1, 1872, as amended by an act approved June 18, 1891, in force July 1, 1891.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section ninety-five (95) of an act entitled "An Act in regard to the administration of estates," approved April 1, 1872, in force July 1, 1872, as amended by an act approved June 18, 1891, in force July 1, 1891, be and the same is amended so as to read as follows:

Sec. 95. In all public sales of such property the executor or administrator may employ necessary clerks, who shall receive such compensation as the court may deem reasonable for their services, not exceeding five dollars per day, and also a crier or auctioneer who shall receive such compensation as the court may deem reasonable, not exceeding *twenty* dollars per day, to be paid by such executor or administrator and charged to the estate.



1 Introduced by Mr. Fitch, January 30, 1907.

2 Read by title, ordered printed and referred to Committee on Judiciary.

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## A BILL

For an Act to provide for the release of one or more of several joint judgment debtors  
without releasing all.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in*  
2 *the General Assembly:* That the owner or owners of any judgment upon which  
3 two or more persons are jointly liable may, by an appropriate method, enter of  
4 record satisfaction of such judgment as to one or more of the persons so liable  
5 and such satisfaction shall not operate to release or satisfy said judgment as to  
6 any persons not included within the terms of such satisfaction: *Provided, That*  
7 *the entry of such satisfaction shall operate as payment and discharge of such pro*  
8 *portion of said judgment as the number of persons so released shall bear to the*  
9 *number of persons originally liable on said judgment: And, Provided, further*  
10 *That the debtor, or debtors, so released shall not be liable in any proceeding at*  
11 *law or equity to any debtor who may after such release pay said judgment.*



Amendments to House Bill No. 132, adopted by the House, March 28, 1907.

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## AMENDMENT NO. 1.

Amend House Bill No. 132, by adding after the word "judgment" in line 9, section 1, of the printed bill, the words following:

"And any person not so released, shall have release and satisfaction entered as to him upon payment by him of an amount equal to such proportion of said judgment."

## AMENDMENT NO. 2.

Amend House Bill No. 132, by adding after the word "judgment" in line 11, section 1, the following: "*and provided further* that the rights and obligations as now existing between the maker and endorser of any negotiable instrument or between the principal and surety thereon shall not be impaired by anything in this Act."

## AMENDMENT NO. 3.

Amend House Bill No. 132, by adding after the word "act" in section 1, the following:



Sec. 2. Subject to the provisions of section one, of this Act, the owner of  
2 such judgment may have execution for any unsatisfied portion thereof against  
3 the lands and tenements, goods and chattels of the debtors named in such judg-  
4 ment, except those as to whom satisfaction is entered on the judgment docket, in  
5 the same form, force and effect as is now provided for other judgments.”

- 1 Introduced by Mr. Golden, January 30, 1907.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

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## A BILL

For an Act to define and punish the crime of rape.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*  
2 *General Assembly:* That the crime of rape is hereby defined as the carnal knowl-  
3 edge of any female, forcibly and against her will. It shall also be deemed rape for  
4 any male person of the age of seventeen years and upwards to have carnal  
5 knowledge of any female, not his wife, under the age of eighteen (18) years, not-  
6 withstanding her consent.

7 Whoever shall be guilty of the crime of rape shall be confined in the peniten-  
8 tiary for a term of years, not less than one year, and the punishment may extend  
9 to imprisonment for life.

10 *Provided, however,* That in case the parties shall lawfully be married to each  
11 other, before conviction, all legal proceedings shall abate.

 Sec. 2. All other acts so far as in conflict with this Act, are hereby repealed.



Introduced by Mr. Hearn, January 30, 1907.

Read by title, ordered printed and referred to Committee on Revenue.

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## A BILL

For an act to amend sections 34, 38, 41 and 50 of an act entitled "An Act for the assessment of property, and providing the means therefor, and to repeal a certain act therein named," approved February 25, 1898.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That sections 34, 38, 41 and 50 of an act  
3 entitled "An Act for the assessment of property and providing the means there-  
4 for, and to repeal a certain act therein named," approved February 25, 1898, be  
5 and the same are amended to read as follows:

Sec. 34. The board of review shall meet on or before the third Monday in  
2 June in each year for the purpose of revising the assessment of property. At such  
3 meeting the board of review, upon application of any taxpayer or upon their  
4 own motion, may revise the entire assessment or any part thereof of any taxpay-  
5 er, and correct the same as shall appear to them to be just, but in none of the





17 according to law, and that the footings of the several columns in said book are  
 18 correct, as we verily believe.

19 Dated .....

20 *Provided, That in counties containing one hundred and twenty-five thousand*  
 21 *or more inhabitants the board of review shall also meet from time to time and*  
 22 *whenever necessary to consider and act upon complaints and to further revise the*  
 23 *assessment of real property as may be just and necessary.*

Sec. 41. The township supervisors, township assessors and township clerks  
 2 who have heretofore acted as the town boards of review in their respective town-  
 3 ships and the county boards shall not hereafter have the power as such board of  
 4 review to assess, equalize, review or revise the assessment of property. The  
 5 boards of review herein provided for shall meet as soon after the taking effect of  
 6 this Act as shall be practicable, not later than the *third Monday in June*, and shall  
 7 thereupon at once enter upon the discharge of their duties.

Sec. 50. The State Board of Equalization shall hereafter assemble annually  
 2 on the first Tuesday after the tenth day of September. *The sessions of the board*  
 3 *may be adjourned from day to day as may be necessary: Provided, That the*  
 4 *final adjournment of said board shall be on or before the first Monday in December*  
 5 *and that no per diem compensation shall be paid any member of said board for*  
 6 *services rendered after the date fixed for the final adjournment.*

Sec. 2. WHEREAS, An emergency exists, this Act shall take effect and be in  
 2 force from and after its passage and approval.



Amendment to House Bill No. 134, adopted by the House February 21, 1907.

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Amend House Bill No. 134 by striking out the words "first Monday in" occurring in line 11 of section 34 and in line 1 of section 38 of the printed bill, and inserting in lieu thereof the words "seventh day of."

Also by striking out the words "Monday in December" occurring in line 5 of section 50 of said bill and inserting in lieu thereof the words "day of November."



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- 1 Introduced by Mr. Mills, January 30, 1907.
  - 2 Read by title, ordered printed and referred to Committee on Judicial Department  
and Practice.

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## A BILL

For an act to amend division XIII of an act entitled "An Act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, and being chapter 38 of the Revised Statutes of 1874, by adding certain sections.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Division XIII of an act entitled "An Act  
3 to revise the law in relation to criminal jurisprudence," approved March 27,  
4 1874, in force July 1, 1874, hereby is amended so as to add the following eight sec-  
5 tions, numbered 19 to 26:

"Sec. 19. In criminal cases, after commitment or indictment, a deposition  
2 may be taken, by either party, in the same manner and terms as in civil cases, of  
3 any desired witness, whether resident or non-resident: *Provided*, That (1) it  
4 must be taken before a justice of the peace or master in chancery on order of a



5 judge of the superior, circuit or county court; (2) it may not be used at the trial  
 6 unless the deponent is dead or has become legally disqualified as witness, or is too  
 7 ill or infirm to attend trial, or, if originally a non-resident, continues to be such  
 8 and has refused to attend trial, or if originally a resident, has left the State and  
 9 the party offering the deposition satisfies the trial judge that such departure was  
 10 without such party's connivance; (3) no deposition may be used for the defendant  
 11 unless he consents of record to the use of all depositions, on the above terms,  
 12 taken by the prosecution.

“Sec. 20. The party producing a witness may show that he has at other  
 2 times made statements inconsistent with his present testimony.

“Sec. 21. For the purpose of impeaching a witness, the adverse party may  
 2 question him as to a previous statement of his, made in writing or reduced by an-  
 3 other to writing, without first showing or reading the writing to the witness. But  
 4 the adverse party must in such case produce or account for the writing, at such  
 5 later time as the trial court may direct; unless the witness has upon cross-exam-  
 6 ination admitted its tenor to be as alleged.

“Sec. 22. Either party may apply to a judge of the court for an order to  
 2 the opponent to suffer the applicant or his expected witnesses to inspect before  
 3 trial any place or thing whose nature may be material on the trial; the inspec-  
 4 tion to be accorded in manner and terms as the judge may see fit.

“Sec. 23. The adverse party may cross-examine a witness as to any facts  
 2 material to the issues on trial.

“Sec. 24. Whenever the genuineness of a writing or part thereof is in issue,  
 2 the judge may permit the evidential use of other specimens of writing, upon proof

3 to his satisfaction that they are genuinely those of the person alleged as their  
4 author; and such specimens may then be perused in evidence by judge or jury,  
5 and may be used as a foundation or aid of testimony by an expert witness.

“Sec. 25. Neither husband nor wife shall be disqualified to testify, or privi-  
2 leged from testifying, for or against the other; nor shall the husband or wife of  
3 a witness have a privilege to prevent the witness testifying for or against such  
4 husband or wife; but neither husband nor wife, without the consent of both, shall  
5 testify to confidential communications had with the other.

“Sec. 26. The judge may, on application by either party, order a view by  
2 the jury of any material place or thing, in the same manner as in civil cases; and  
3 if the accused elects not to attend the view personally, the State's attorney may  
4 cause the election to be noted of record.”



Introduced by Mr. Provine, January 30, 1907.

Read by title, ordered printed and referred to Committee on Banks and Banki

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## A BILL

For an act to amend section three (3) of an act entitled “An Act concerning corporations with banking powers,” approved June 16, 1887, adopted by the people at an election held November 6, 1888, and proclaimed in force by the Governor December 6, 1888, as amended by an an act entitled “An Act to amend sections one (1), six (6) and eleven (11) of an act entitled ‘An Act concerning corporations with banking powers,’ approved June 16, 1887, approved June 3, 1889,” adopted by the people at an election held November 4, 1890, and proclaimed in force by the Governor November 29, 1890, as amended by an act entitled “An Act to amend section ten (10) of an act entitled, ‘An Act concerning corporations with banking powers’” approved June 4, 1897, adopted by the people at an election held November 8, 1898, and proclaimed in force by the Governor November 28, 1898.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That section three (3) of an act entitled  
3 “An Act concerning corporations with banking powers,” approved

4 June 16, 1887, adopted by the People at an election held No-  
 5 vember 6, 1888, and proclaimed in force by the Governor De-  
 6 cember 6, 1888, as amended by an act entitled, "An Act to  
 7 amend sections one (1), six (6) and eleven (11) of an act entitled, 'An  
 8 Act concerning corporations with banking powers,' approved June 16, 1887, ap-  
 9 proved June 3, 1889," adopted by the People at an election held November 4,  
 10 1890, and proclaimed in force by the Governor November 29, 1890, as amended by  
 11 an act entitled "An Act to amend section ten (10) of an act entitled 'An Act con-  
 12 cerning corporations with banking powers,'" approved June 4, 1897, adopted by  
 13 the People at an election held November 8, 1898, and proclaimed in force by the  
 14 Governor November 28, 1898, he and the same is hereby amended to read as fol-  
 15 lows:

16 As soon as may be after receipt of authorization, books of subscription to the  
 17 capital stock may be opened, and when the capital stock shall have been fully sub-  
 18 scribed for a meeting of the subscribers to the stock of such association shall be  
 19 called (each subscriber having had at least three days' notice) for determination  
 20 of the number and election of directors to serve as managers for one year, and  
 21 until their successors are elected. And no director shall be elected unless he shall  
 22 have received votes representing at least a majority of the shares of the associa-  
 23 tion; and the voting may be done by person, or by proxy, and at such election the  
 24 subscribers or stockholders shall have the right to vote for the number of shares  
 25 owned or subscribed by him for as many persons as there are directors to be  
 26 elected, or to accumulate such shares and give one candidate as many votes as the  
 27 number of directors multiplied by the number of his shares of stock shall equal.  
 28 or to distribute them on the same principle among as many candidates as he shall  
 29 deem proper: *Provided, That no person shall hereafter be elected by the stock-*



30 holders of any bank organized under the laws of the State of Illinois a director,  
31 or shall hold the office of director of such bank, who is a director or officer of any  
32 national bank doing business in this State, nor unless such person so elected owns  
33 in his own name, clear of any liens or encumbrances, at least ten shares of stock  
34 in such bank of one hundred dollars each.

Sec. 2. This Act shall be submitted to a vote of the People for their ratifica-  
2 tion, according to Article 11, Section 5, of the Constitution of this State, at the  
3 next general election, and the question shall be "For the amendment to section 3  
4 of the General Banking Law," or "Against the amendment to section 3 of the  
5 General Banking Law," and it shall be the duty of the officials now required by  
6 law to print and distribute ballots for use in elections to prepare and distribute  
7 ballots for such submission, such ballots to be prepared, printed and distributed  
8 in accordance with the provisions of an Act entitled "An Act to provide for the  
9 printing and distribution of ballots at public expense, and for the nomination of  
10 candidates for public offices, to regulate the manner of holding elections and to  
11 enforce the secrecy of the ballot," approved June 22, 1891, in force July 1, 1891.

12 And if approved by a majority of all the votes cast at such election for or  
13 against such law, the Governor shall thereupon issue his proclamation that this  
14 Act is then in force.



- 1 Introduced by Mr. Schermerhorn, January 30, 1907.  
2 Read by title, ordered printed and referred to Committee on Manufactures.

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## A BILL

For an Act regulating the manufacture and sale of patent or proprietary drugs and medicines.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That it shall be unlawful to manufacture,  
3 prepare, sell or offer for sale in this State any patent or proprietary medicine  
4 containing any morphine, opium, cocaine, acetanilid, chloroform, cannabis indica,  
5 chloral hydrate, sulphurous and sulphuric acids, or any other poisonous substance,  
6 or any of their derivations or preparations, unless each package, box, cask, jug or  
7 bottle shall be plainly labeled in black faced type, not less than eight point in  
8 size, with the formulae of the contents of the package, box, cask, jug or bottle,  
9 and the quantity of such morphine, opium, cocaine, acetanilid, chloroform, canna-  
10 bis indica, chloral hydrate, sulphuric or sulphurous acid, or such other poisonous  
11 substance contained in each prescribed dose of such patent or proprietary medi-  
12 cine, together with the amount of alcohol used in such preparation.

Sec. 2. Any person or persons, firm or corporations, manufacturing, prepar-

ing, selling or offering for sale any package, box, cask, jug or bottle, containing any patent or proprietary medicine in the preparation of which is used any morphine, opium, cocaine, acetanilid, chloroform, cannabis indica, chloral hydrate, sulphuric or sulphurous acid, or any other poisonous substance or any of their preparations or derivations, without the same being labeled as provided in section one of this Act, shall be deemed guilty of a misdemeanor and upon indictment and conviction shall be fined in a sum not less than one hundred dollars (\$100.00) nor more than one thousand dollars (\$1,000.00), or be confined in the county jail not less than thirty days nor more than one year, or both in the discretion of the court.

Sec. 3. Nothing in this Act shall be construed to apply to the prescriptions of any duly licensed and reputable physician of this State, where such prescriptions are made in the regular course of their practice in good faith and not intended as a subterfuge for avoiding the provisions hereof.

Sec. 4. It shall be the duty of the State's attorney to enforce the provisions of this Act, and any failure on the part of any State's attorney to prosecute any person or persons, firm or corporation, violating section one hereof, shall subject him to the same penalties as are herein prescribed upon conviction of such neglect or omission of duty, and such State's attorney may be prosecuted in any court of competent jurisdiction upon information filed in such court by any citizen of this State having knowledge of the facts and such neglect or omission of duty, and upon the filing of such information it shall be the duty of the court to appoint some licensed attorney as special prosecutor, who shall not be related by kin or otherwise to such State's attorney or to any one charged with violating this Act, and such court shall have power to issue process against said State's Attorney the same as in cases of indictment.

Introduced by Mr. Shanahan, by request, January 30, 1907.

Read by title, ordered printed and referred to Committee on Appropriations.

## A BILL

For an act making an appropriation for the ordinary and other expenses of the State charitable institutions herein named.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be and is hereby appropriated for the purpose of defraying the ordinary expenses of the State institutions named in this Act, for the year beginning July 1, 1907, the sum of \$2,341,250.00, payable quarterly in advance, and the said appropriations shall be apportioned among the institutions as follows:

To THE	
Northern Hospital for the Insane, Elgin.....	\$ 185,000.00
Eastern Hospital for the Insane, Kankakee.....	379,750.00
Central Hospital for the Insane, Jacksonville.....	205,000.00
Southern Hospital for the Insane, Anna.....	175,000.00



12	Western Hospital for the Insane, Watertown . . . . .	175,000.00
13	Asylum for the Incurable Insane, South Bartonville . . . . .	287,500.00
14	Asylum for Insane Criminals, Menard . . . . .	40,000.00
15	Illinois School for the Deaf, Jacksonville . . . . .	125,000.00
16	Institution for the Education of the Blind, Jacksonville . . . . .	47,000.00
17	Asylum for Feeble-minded Children, Lincoln . . . . .	200,000.00
18	Soldiers' and Sailors' Home, Quincy . . . . .	205,000.00
19	Soldiers' Orphans' Home, Normal . . . . .	67,500.00
20	Soldiers' Widows' Home, Wilmington . . . . .	22,500.00
21	Ill. Charitable Eye and Ear Infirmary, Chicago . . . . .	44,000.00
22	Training School for Girls, Geneva . . . . .	65,000.00
23	St. Charles Home for Boys, St. Charles . . . . .	90,000.00
24	Ill. Industrial Home for the Blind, Chicago . . . . .	28,000.00
25		-----
26	Total . . . . .	\$2,341,250.00

Sec. 2. For the purpose of defraying the ordinary expenses of the State institutions named in this Act for the year beginning July 1, 1908, the sum of \$2,387,750.00 is appropriated, payable quarterly in advance, and the said appropriation shall be apportioned among the institutions as follows, until the expiration of the first fiscal quarter after the adjournment of the next General Assembly:

TO THE

8	Northern Hospital for the Insane, Elgin . . . . .	\$ 201,500.00
9	Eastern Hospital for the Insane, Kankakee . . . . .	379,750.00
10	Central Hospital for the Insane, Jacksonville . . . . .	205,000.00

11	Southern Hospital for the Insane, Anna. . . . .	175,000.00
12	Western Hospital for the Insane, Watertown . . . . .	175,000.00
13	Asylum for the Incurable Insane, S. Bartonville . . . . .	287,500.00
14	Asylum for Insane Criminals, Menard. . . . .	40,000.00
15	Illinois School for the Deaf, Jacksonville. . . . .	125,000.00
16	Institution for the Education of the Blind, Jacksonville . . . . .	47,000.00
17	Asylum for Feeble-minded, Lincoln. . . . .	200,000.00
18	Soldiers' and Sailors' Home, Quincy. . . . .	210,000.00
19	Soldiers' Orphans' Home, Normal. . . . .	67,500.00
20	Soldiers' Widows' Home, Wilmington. . . . .	22,500.00
21	Ill. Charitable Eye and Ear Infirmary, Chicago . . . . .	44,000.00
22	State Training School for Girls, Geneva . . . . .	75,000.00
23	St. Charles Home for Boys, St. Charles. . . . .	100,000.00
24	Illinois Industrial Home for the Blind, Chicago . . . . .	33,000.00
25		-----
26	Total . . . . .	\$2,387,750.00

Sec. 3. All moneys herein appropriated shall be due and payable to the  
 2 trustees of the several institutions named, or to their order, only on the terms  
 3 and in the manner provided in the 19th section of an act entitled, "An Act to  
 4 regulate the State charitable institutions and the State reform school, and to  
 5 improve their organization and increase their efficiency."



Introduced by Mr. Shanahan, by request, January 30, 1907.

Read by title, ordered printed and referred to Committee on Appropriations.

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## A BILL

for an act making appropriations for the State charitable institutions herein named.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the following sums be and are hereby appropriated to the State institutions named in this Act, for the purposes herein stated, for the two years beginning July 1, 1907, the sum of \$2,660,916.00, and that the appropriations shall be apportioned between the institutions and shall be payable as herein stated, as follows:

TO THE NORTHERN HOSPITAL FOR THE INSANE, ELGIN.

Repairs and improvements, \$10,000 per annum .....	\$ 20,000
Painting, \$3,000 per annum .....	6,000
Improvement of grounds, \$2,000 per annum .....	4,000
Iron bedsteads .....	7,000

12	Live stock .....	2,000
13	Farm implements and building.....	2,500
14	Cold storage and ice plant.....	20,000
15	Shops for patients.....	10,000
16	Farm ward to accommodate 50 patients.....	25,000
17	Two new cottages.....	50,000
18	Hospital building.....	25,000
19	Fire escapes .....	1,800
20	Plumbing .....	7,000
21	Power house boilers, etc.....	82,000
22	Wiring .....	12,000
23	Extension water system.....	10,000
24	Improving system of heating and ventilation .....	25,000
25		-----
26	Total.....	\$309,300

27                    TO THE EASTERN HOSPITAL FOR THE INSANE, KANKAKEE.

28	Repairs and improvement, \$30,000 per annum .....	\$ 60,000
29	Improvement of grounds, \$2,000 per annum .....	4,000
30	Live stock and farm implements, \$2,000 per annum.....	4,000
31	Two new buildings and furnishing the same .....	140,000
32	Twelve hundred double windows.....	3,000
33	Psychopathic Institute and maintenance for two years.....	30,000
34	Milch cows .....	4,000
35	Hydrotherapeutic equipment .....	4,000
36	Fourteen hundred iron beds and mattresses .....	19,500



37	Warehouse addition .....	10,000
38	Painting .....	8,000
39	Fire escapes .....	1,400
40	Plumbing .....	10,000
41	Flooring .....	5,500
42	Power house and water supply.....	50,000
43	New electric wiring.....	10,000
44	Ventilation .....	5,000
45		-----
46	Total.....	\$368,400

TO THE CENTRAL HOSPITAL FOR THE INSANE, JACKSONVILLE.

47		
48	Repairs and improvements, \$15,000 per annum .....	\$ 30,000
49	Improvement of grounds, \$1,000 per annum .....	2,000
50	Library, \$500 per annum.....	1,000
51	Plumbing, \$25,000 per annum.....	5,000
52	Concrete walks, \$1,500 per annum.....	3,000
53	Psychopathic hospital .....	60,000
54	Home for nurses .....	25,000
55	Fencing and extension concrete wall.....	3,000
56	Painting .....	6,000
57	New furniture and iron beds.....	6,000
58	New building for consumptives and contagious diseases .....	6,000
59	Live stock and farm implements.....	2,500
60	Ventilation .....	6,000
61	Enlarging power house, smoke stack, etc.....	24,000

62	Plumbing and bathing facilities .....	37,975
63	Enlarging and rebuilding laundry.....	8,000
64	Repairing greenhouse .....	2,000
65		-----
66	Total.....	\$227,475

67                      TO THE SOUTHERN HOSPITAL FOR THE INSANE, ANNA.

68	Repairs and improvement, \$10,000 per annum .....	\$ 20,000
69	Improvement of grounds, \$2,000 per annum .....	4,000
70	Library, \$500 per annum.....	1,000
71	Live stock and farm implements, \$2,000 per annum.....	4,000
72	Hospital building and furnishing.....	50,000
73	Home for nurses and furnishing.....	25,000
74	Telephone system .....	2,000
75	Painting .....	4,000
76	Rebuilding greenhouse .....	2,500
77	Track scales .....	1,200
78	Industrial building .....	15,000
79	Iron beds and furniture.....	8,000
80	Fire escapes .....	1,000
81	Plumbing .....	4,000
82	Flooring .....	5,000
83	Power house, boilers, etc.....	50,000
84	Wiring .....	10,000
85	Fire protection .....	10,000
86		-----
87	Total.....	\$216,700

88                    TO THE WESTERN HOSPITAL FOR THE INSANE, WATERTOWN.

89	Repairs and improvements, \$10,000 per annum .....	\$ 20,000
90	Improvements of grounds and farm, \$10,000 per annum.....	20,000
91	New buildings, Psychopathic Hydratic.....	100,000
92	Land .....	40,000
93	Ventilation, power plant, etc.....	40,000
94		-----
95	Total.....	\$220,000

96                    TO THE ASYLUM FOR INCURABLE INSANE, SOUTH BARTONVILLE.

97	Repairs and improvements, \$15,000 per annum .....	\$30,000
98	Fire proof hospital building or buildings .....	60,000
99	Artesian well .....	15,000
100	To complete State railroad .....	10,000
101		-----
102	Total .....	\$115,000

103                    TO THE ASYLUM FOR INSANE CRIMINALS, MENARD.

104	Building and land .....	\$270,000
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105                    TO THE SCHOOL FOR THE DEAF, JACKSONVILLE.

106	Repairs and improvements, \$25,000 per annum .....	\$ 50,000
107	Library, \$500 per annum.....	1,000
108	Dairy barn .....	10,000
109	Greenhouse .....	2,000
110		-----
111	Total .....	\$ 63,000

112	TO THE SCHOOL FOR THE BLIND, JACKSONVILLE.	
113	Repairs and improvements, \$4,000 per annum .....	\$ 8,000
114	Printing material, \$500 per annum.....	1,000
115	Library and apparatus, \$400 per annum .....	800
116	Special training for deaf blind, \$1,000 per annum .....	2,000
117	Isolation hospital .....	6,000
118	State library for blind .....	2,000
119	Ventilation .....	4,100
120	Fire hydrants and water supply.....	2,200
121	Wiring .....	3,500
122	Tile floors and wainscoting .....	3,100
123	Power plant and tunnel .....	22,500
124	Wood floors .....	400
125		-----
126	Total .....	\$ 55,600

127	TO THE ASYLUM FOR FEEBLE MINDED CHILDREN, LINCOLN.	
128	Repairs and improvements, \$10,000 per annum ....	\$ 20,000
129	Improvement of grounds, \$2,000 per annum .....	4,000
130	Library and school books, \$750 per annum .....	1,500
131	Gymnasium and playroom .....	20,000
132	Shops .....	10,000
133	Fire escapes .....	3,700
134	Fire protection .....	7,974
135	Alteration in domestic water supply.....	934
136	Underground steam distributing system .....	10,000
137		-----
138	Total .....	\$ 78,108

TO THE SOLDIERS' AND SAILORS' HOME, QUINCY.

139		
140	Repairs and improvements, \$10,000 per annum .....	\$ 20,000
141	Library, \$600 per annum .....	1,200
142	Improvement of cemetery and roads.....	2,000
143	Track scales and switches .....	2,500
144	Smoke stack and breeching.....	4,000
145	Reconstruction laundry .....	4,000
146	Ice plant and refrigerator room.....	8,000
147	Main tunnel extension .....	8,000
148	Two new cottages.....	115,000
149	Hospital for women .....	17,500
150	Furnishing cottages and hospital.....	15,686
151	Sewerage extension .....	2,500
152	Fire protection .....	11,077
153	Electric wiring .....	10,000
154	Electric power plant and new boilers.....	42,000
155	Wood flooring .....	10,000
156	Improving hospital laundry .....	3,200
157	Tin roof on main building.....	2,400
158	Painting .....	5,000
159	Two new boilers .....	11,500
160		-----
161	Total .....	\$295,563

TO THE SOLDIERS' ORPHANS' HOME, NORMAL.

162		
163	Repairs and improvements, \$2,500 per annum .....	\$ 5,000
164	Library, \$300 per annum .....	600



165	Roofing .....	3,242
166	Plastering .....	1,027
167	Painting .....	3,667
168	Hardwood flooring .....	1,362
169	Tile flooring .....	1,125
170	Radiation .....	5,065
171	Fire protection .....	5,004
172	Wiring .....	2,000
173	Plumbing .....	1,869
174	Iron stairs .....	700
175	Concrete walks .....	1,260
176	Installing electric light plant .....	3,000
177	Installing three new boilers .....	8,000
178	Opening Lincoln street .....	1,200
179	Masonry .....	1,000
180	Mangle .....	1,000
181	Iron bedsteads, single .....	1,000
182	Industrial shop equipment .....	5,000
183		-----
184	Total .....	\$ 52,221

185                    TO THE SOLDIERS' WIDOWS' HOME, WILMINGTON.

186	Repairs and improvements, \$1,500 per annum .....	\$ 3,000
187	Fire protection .....	500
188		-----
189	Total .....	\$ 3,500

190	TO THE CHARITABLE EYE AND EAR INFIRMARY, CHICAGO.	
191	Repairs and improvements, \$3,500 per annum .....	\$ 7,000
192	Library and amusement, \$250 per annum .....	500
193	To complete new additions and roof garden .....	10,000
194	Paving on Peoria street .....	2,500
195	Elevator .....	5,000
196	Bath room and sterilizer .....	2,500
197	Tile floors in old building.....	4,000
198	Wiring .....	2,205
199	Mechanical equipments .....	163
200		-----
201	Total .....	\$ 33,868

202	TO THE STATE TRAINING SCHOOL FOR GIRLS, GENEVA.	
203	Repairs and improvements, \$8,000 per annum .....	\$ 16,000
204	Improvement, grounds, walks, tiling and cemetery fence .....	4,000
205	Live stock and implements .....	3,000
206	Furniture .....	4,000
207	Paroling and discharging girls .....	1,500
208	Library .....	500
209	Two new cottages .....	50,000
210	Land .....	22,500
211	Two deep well pumps, etc .....	3,000
212	Boiler, dynamo and pump .....	6,400
213	Greenhouse .....	1,500
214	Fire protection .....	9,931

215	Wiring .....	8,000
216	Water mains .....	3,700
217	Engine for dynamo boilers .....	3,000
218	Automatic door openers .....	2,500
219		-----
220	Total .....	\$139,531

221                      TO THE ST. CHARLES SCHOOL FOR BOYS, ST. CHARLES.

222	Repairs and improvements, \$2,500 per annum .....	\$ 5,000
223	Live stock and farm implements, \$1,000 per annum .....	2,000
224	Library, \$250 per annum .....	500
225	Parole officer, \$1,200 per annum.....	2,400
226	One cottage .....	25,000
227	Furnishings for cottage .....	1,250
228	Administration building .....	55,000
229	Infirmary .....	15,000
230	Sewers and drainage .....	15,000
231	Pump and well .....	5,000
232	Gymnasium equipment .....	5,000
233	Walks .....	1,000
234	Improving laundry .....	1,000
235	Dynamos, conduits, etc .....	6,000
236	Reducing pressure on plumbing .....	600
237	Fire escape on school building .....	400
238		-----
239	Total .....	\$140,150

TO THE INDUSTRIAL HOME FOR BLIND, CHICAGO.

240		
241	Working capital .....	\$ 50,000
242	Finishing fourth story .....	12,000
243	Furnishing fourth story .....	3,500
244	Repairs and improvements .....	7,000
245		-----
246	Total .....	\$ 72,500





- 1 Introduced by Mr. Shanahan, by request, January 30, 1907.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

**A BILL**

For an Act making appropriations for the Illinois State Colony for Epileptics.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in*  
2 *the General Assembly:* That the sum of two hundred and sixty-five thousand  
3 (265,000) dollars be appropriated to the Board of State Commissioners of Public  
4 Charities for the purpose of locating and constructing necessary buildings and  
5 maintenance of the colony for epileptics under the provisions of an act of the  
6 Forty-first General Assembly, approved April 19, 1899.

7	Land and buildings.....	\$235,000
8	Maintenance till 1909.....	30,000
9		<u>\$265,000</u>

Sec. 2. The Auditor of Public Accounts is hereby authorized and required to  
2 draw his warrant upon the State Treasurer for the amount herein appropriated  
3 upon presentation of proper vouchers certified to by the Board of State Commis-  
4 sioners of Public Charities and approved by the Governor.



Introduced by Mr. Sheldon, January 30, 1907.

Read by title, ordered printed and referred to Committee on Judiciary.

## A BILL

For an act to provide for the creation by popular vote of Anti-Saloon Territory, within which the sale of intoxicating liquor and the licensing of such sale shall be prohibited and for the abolition by like means of territory so created.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* The words and phrases mentioned in this section as used in this Act and in proceedings pursuant hereto shall, unless the same be inconsistent with the context, be construed as follows:

“Anti-Saloon Territory” shall mean all territory within the limits of any county, town, precinct, city, village, ward or ward subdivision in this State in which, through the action of the legal voters therein as provided by this Act, the sale of intoxicating liquor, except as herein provided, is prohibited.

“Town” shall include towns in counties under township organization, and incorporated towns.

11        "Precinct," when used between the words "town" and "city," or in the  
 12 phrase "precincts in counties not under township organization," shall mean any  
 13 "voting precinct" or "election precinct," which is a subdivision for voting at  
 14 an election of county officers in counties not under township organization, or  
 15 any subdivision of the same, commonly called an "election district."

16        "Ward subdivision" shall mean any "voting precinct" or "election pre-  
 17 cinct" which is a subdivision of a ward for voting at an election of city officers  
 18 or any combination of such precincts in any ward, less than the whole ward,  
 19 forming a continuous territory.

20        "Political subdivision" shall mean the phrase "county, town, precinct, city,  
 21 village, ward or ward subdivision."

22        "District" shall mean territory in which after the same has become Anti-  
 23 Saloon Territory the limits of the political subdivision have been changed.

24        In the phrase "Shall this . . . . . become Anti-Saloon Territory?" the proper  
 25 word, whether "county," "town," "precinct," "city," "village," or  
 26 "ward," and in cases which relate to one precinct of a ward the word  
 27 "precinct" shall be understood to be inserted in the blank, and in cases which  
 28 relate to more than one precinct of a ward such phrase shall be made to read  
 29 "Shall precincts numbered . . . . . (here insert the numbers) of this ward be-  
 30 come Anti-Saloon Territory?" and the same shall be inserted in the petitions  
 31 filed by and the ballots prepared for the voters of any county, town, precinct,  
 32 city, village, ward or ward subdivision.

33        "Said proposition" shall mean the proposition "Shall this . . . . . (county,  
 34 town, precinct, city, village, ward or ward subdivision, as the case may be) become  
 35 Anti-Saloon Territory?"

36       “Clerk” shall mean, with reference to counties, towns, cities and villages,  
 37 the county, town, city or village clerk, as the case may be; with reference to  
 38 precincts in counties not under township organization it shall mean the county  
 39 clerk; and with reference to wards and ward subdivisions it shall mean the city  
 40 clerk; and it shall mean the board of election commissioners of any city, vil-  
 41 lage, or incorporated town in this State in which there now is or hereafter may  
 42 be a board of election commissioners, and in the provisions of this Act applica-  
 43 ble to or within any such city, village or incorporated town, “legal voter” shall  
 44 mean a duly registered legal voter.

45       “Election” shall mean, in counties, towns, cities and villages, an election  
 46 at a time fixed by law for choosing county, town, city, or village officers, as the  
 47 case may be; in precincts in counties not under township organization it shall  
 48 mean an election at a time fixed by law for choosing county officers; in wards  
 49 and ward subdivisions it shall mean an election at a time fixed by law for choos-  
 50 ing aldermen or other city officers. In cities and villages the officers of which  
 51 shall be chosen for a term of four years, and in wards and ward subdivisions in  
 52 such a city or village, “election” shall also mean an election at a time fixed by  
 53 law for choosing county officers. In no case shall it mean a special election to fill  
 54 a vacancy.

55       “Intoxicating liquor” shall include all distilled, spiritous, vinous, fermented  
 56 and malt liquors.

Sec. 2. Upon the filing in the office of the clerk at least sixty days before  
 2 an election of a petition as in this Act provided, directed to such clerk, contain-  
 3 ing the signatures of legal voters of any political subdivision in number not  
 4 less than one-fourth of the total vote cast in such political subdivision at the



5 last election therein, to submit to the voters of such political subdivision the  
 6 proposition "Shall this . . . . . become Anti-Saloon Territory?" said proposi-  
 7 tion shall be submitted at such election, as in this Act provided, to the legal vot-  
 8 ers of such political subdivision and if a majority of the legal voters voting upon  
 9 said proposition shall vote "Yes," such political subdivision shall become Anti-  
 10 Saloon Territory. Such petition shall be a public document and shall be subject  
 11 to the inspection of the public.

12 No precinct of a ward shall for the same election be included in more than  
 13 one petition covering more than one precinct. This provision shall not apply to  
 14 the case of a petition covering one precinct only and another petition covering  
 15 more than one precinct or covering a county, town, precinct, city, village or  
 16 ward within which such precinct is included. In case more than one petition  
 17 for the same election shall be filed, each covering more than one precinct of a  
 18 ward and including a precinct in common, the petition which shall be first filed  
 19 with the clerk shall alone be valid.

Sec. 3. A vote under the provisions of this Act shall become operative on  
 2 the fifteenth day after the day of the election at which such vote is cast.

Sec. 4. A petition for submission of said proposition shall be in substan-  
 2 tially the following form:

3 To the . . . . . (county, town, city or village) clerk of the (here insert the  
 4 corporate or legal name of the county, town, city or village):

5 The undersigned, residents and legal voters of the . . . . . (insert the legal  
 6 name or correct designation of the political subdivision) respectfully petition  
 7 that you cause to be submitted, in the manner provided by law, to the voters  
 8 thereof, at the next election, the proposition "Shall this . . . . . become Anti-  
 9 Saloon Territory?"

Name of Signer	House Number	Street	Date of Signing
.....	.....	.....	.....

10        Such petition shall consist of sheets having such form printed or written  
 11 at the top thereof and shall be signed by the legal voters in their own proper  
 12 persons only, and opposite the signature of each legal voter shall be written his  
 13 residence address (stating the street and the house number if there be such) and  
 14 the date of signing the same. No signature shall be valid or be counted in con-  
 15 sidering such petition unless these requirements are complied with and unless the  
 16 date of signing is less than six months preceding the date of filing the same.  
 17 At the bottom of each sheet of such petition shall be added a statement, sign-  
 18 ed by a resident of the county in which the signers thereof reside, with his resi-  
 19 dence address as aforesaid, stating that the signatures on that sheet of the said  
 20 petition are genuine, and that to the best of his knowledge and belief the persons  
 21 so signing were at the time of signing said petition legal voters (and in cities,  
 22 villages, and incorporated towns in which voters are or may be required to be  
 23 registered, that they were at the time of signing said petition duly registered  
 24 legal voters) of the said county, town, precinct, city, village or ward, as the  
 25 case may be (and in case such petition relates to a ward subdivision, of the pre-  
 26 cinct, or precincts, and ward, stating the numbers, respectively thereof); that  
 27 their respective residences are correctly stated therein and that each signer  
 28 signed the same on the date set opposite his name. Such statement shall be  
 29 sworn to before some officer residing in the county where such legal voters re-  
 30 side, authorized to administer oaths therein. Such petition, so verified, or a

31 copy thereof, duly certified as hereinafter provided, shall be *prima facie* evi-  
32 dence that the signatures, statement of residence and dates upon such petition  
33 are genuine and true and that the persons signing the same are legal voters  
34 of the political subdivision named. Such sheets shall be fastened together in  
35 one document, filed as a whole and when filed shall not be withdrawn or added  
36 to. No signature shall be revoked except by a revocation filed with the  
37 Clerk with whom the petition is required to be filed and before the filing of such  
38 petition. Upon request of anyone filing such a petition and verified statement  
39 and paying or tendering to the Clerk one dollar for each one hundred names,  
40 or fraction thereof, signed thereto, together with a copy thereof, the Clerk shall  
41 immediately compare the original and copy and attach to such copy and de-  
42 liver to such person his official certificate that such copy is a true copy of  
43 the original, stating the day when such original was filed in his office. Whoever  
44 in making the sworn statement above prescribed shall knowingly, wilfully and  
45 corruptly swear falsely shall be deemed guilty of perjury and on conviction  
46 thereof shall be punished accordingly. Whoever forges the signature of any  
47 person upon any petition or statement provided for in this Act shall be deemed  
48 guilty of forgery and on conviction thereof shall be punished accordingly.

Sec. 5. The clerk with whom any petition shall be filed as provided in this  
2 Act shall cause notice to be given in the manner provided by law for giving  
3 notice of an election, of the submission of said proposition at the next election to  
4 the voters of the political subdivision named in such petition. Publication of  
5 the submission of said proposition to the voters of such political subdivision  
6 shall likewise be made in the manner provided by law for the publication of the  
7 list of nominations to be voted for at an election: *Provided*, That the failure of  
8 such clerk to cause such notice to be given, or the failure to make publication

9 of the submission of said proposition as above provided, shall not affect the valid-  
 10 ity or binding force of the vote upon said proposition.

Sec. 6. The clerk with whom any petition shall be filed as provided by this  
 2 Act shall cause said proposition to be plainly printed upon all the ballots to be  
 3 used at the next election of officers in the political subdivision named in such peti-  
 4 tion and below the list of candidates named thereon, as follows:

..... : Shall this ..... (county, town, precinct, city, village or ward, : as the case may be, [and in case such petition related to one pre- : cinct only of a ward, precinct]), become Anti-Saloon Territory? : ..... : .....	Yes. ..... No.	: : : : :
--	----------------------	-----------------------

5 In case such petition relates to more than one precinct of a ward, said prop-  
 6 osition shall be printed as follows:

..... : Shall precincts numbered.... (here insert the numbers) of : this ward become Anti-Saloon Territory? : ..... : .....	Yes. ..... No.	: : : :
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7 At the canvass of the ballots in each polling place where said proposition is  
 8 submitted, it shall be the duty of the judges of election to admit to the room  
 9 at such polling place, as special watchers of such canvass, one legal  
 10 voter selected by the persons managing the interests of those in favor  
 11 of and one selected by the persons managing the interests of those  
 12 opposed to said proposition, provided such legal voters shall be of  
 13 good character and sober and shall in no wise interfere with such  
 14 canvass, and said judges and the police officers and other officers



15 of the law shall protect such watchers and see that they are not exclud-  
 16 ed and at the time of such canvass of the ballots cast upon said proposition,  
 17 such watchers shall be entitled to a position where they can plainly see and read  
 18 each ballot and it shall be the duty of such judges to protect them in such posi-  
 19 tion. Wherever any other method of taking and recording votes at elections  
 20 than by means of printed ballots is provided by law the procedure for taking and  
 21 recording the votes upon said proposition may conform to the method so pro-  
 22 vided.

Sec. 7. The clerk shall record in a well bound book, to be kept in his office by  
 2 himself and his successors, the result of the vote upon said proposition and such  
 3 result may be proved in all courts and in all proceedings by such record or by the  
 4 official certificate of the clerk, and in cases where such a record or certificate shows  
 5 that a majority of the legal voters voting upon said proposition voted "Yes"  
 5 the same shall be *prima facie* evidence that the political subdivision to which  
 7 such vote was applicable has become Anti-Saloon Territory.

Sec. 8. All the territory within any political subdivision which has become  
 2 Anti-Saloon Territory shall continue to be Anti-Saloon Territory throughout  
 3 its entire extent, notwithstanding any change which may be made in the limits  
 4 of any such political subdivision, until the legal voters thereof have voted, ac-  
 5 cording to the provisions of this Act, to discontinue such Anti-Saloon Territory  
 6 and the following section shall be construed in harmony herewith. In all  
 7 Anti-Saloon Territory, during the time that it continues to be Anti-Saloon Ter-  
 8 ritory, the operation of all ordinances providing for the restriction, regulation  
 9 or prohibition of the sale of intoxicating liquor or for the issuing of dram



shop licenses within any portion or the whole of such territory, so far as inconsistent with its status as Anti-Saloon Territory, shall be suspended.

Sec. 9. Upon the filing in the office of the clerk, at least sixty days before an election in any political subdivision, of a petition directed to such clerk, containing the signatures of legal voters of an Anti-Saloon Territory or district, in number not less than one-fourth of the total vote cast therein at the last election, to submit to the voters thereof the proposition "Shall this . . . . (political subdivision or district) continue to be Anti-Saloon Territory?" (provided such petition corresponds in all other respects with the petition in this Act before described) such proposition shall be submitted at such election to the voters of such political subdivision or district, and the provisions of sections one (1), four (4), five (5), six (6) and seven (7) of this Act shall apply in all respects, so far as applicable, to the proposition "Shall this . . . (political subdivision or district) continue to be Anti-Saloon Territory?" to the submission of such proposition to such voters, to the petition therefor, to the recording of the vote thereon and to the proof and evidence of the petition and vote, except that in a district such proposition shall be submitted by separate ballot. If a majority of the legal voters voting upon such last mentioned proposition in any such political subdivision or district vote "No," such political subdivision or district shall cease to be Anti-Saloon Territory, and all ordinances providing for the restriction, regulation or prohibition of the sale of intoxicating liquor or for the issuing of dram shop licenses the operation of which was in any wise suspended within such political subdivision or district by virtue of the vote therein to become Anti-Saloon Territory, and with all additions and amendments which in the meantime may have been made thereto, shall, if not in the meantime repealed, become and be in force within said political subdi-

25 vision or district to the same extent, only, however, as the same would then be  
 26 in force had such political subdivision or district never become Anti-Saloon  
 27 Territory. The petition mentioned in this section shall be a public document  
 28 and shall be subject to the inspection of the public.

Sec. 10. A vote under the provisions of this Act in and for any political  
 2 subdivision upon the proposition "Shall this ..... become Anti-Saloon  
 3 Territory?" or in and for any political subdivision or district upon the proposi-  
 4 tion "Shall this .....(political subdivision or district) continue to be Anti-  
 5 Saloon Territory?" shall be a bar to the submission to the voters thereof of  
 6 either of such propositions as applied to that identical political subdivision or  
 7 district only, until after the lapse of eighteen months.

Sec. 11. It shall not be lawful to sell intoxicating liquor in any quantity  
 2 whatever nor to grant or issue, or cause to be granted or issued, any license to  
 3 sell intoxicating liquor in any quantity whatever within the limits of any polit-  
 4 ical subdivision or district whatever in this State while the same is Anti-Saloon  
 5 Territory, and if any such license be granted or issued in violation hereof the  
 6 same shall be void.

Sec. 12. Whoever shall, by himself or another, either as principal, clerk or  
 2 servant, directly or indirectly, sell, barter or exchange any intoxicating liquor in  
 3 any quantity whatever, within the limits of any political subdivision or district in  
 4 this State, while the same is Anti-Saloon Territory, shall be fined not less than  
 5 twenty dollars (\$20), nor more than one hundred dollars (\$100), or  
 6 imprisoned in the county jail for not less than ten (10) days nor  
 7 more than thirty (30) days, or both, in the discretion of the court.

8 If any person shall be convicted of violating any provision of this section and  
9 shall subsequently violate any provision of this section he shall upon conviction  
10 thereof, be fined not less than fifty dollars (\$50) nor more than two hundred dol-  
11 lars (\$200) and imprisoned in the county jail for not less than ten (10) days, nor  
12 more than thirty (30) days. And in like manner, if he shall subsequently violate  
13 any provision of this section, for such third and each subsequent violation he  
14 shall upon conviction thereof be **fined not less than one hundred dollars (\$100)**, nor  
15 more than two hundred dollars (\$200), and imprisoned in the county jail for not  
16 less than thirty (30) days, nor more than ninety (90) days.

Sec. 13. The giving away or delivery of any intoxicating liquor for the pur-  
2 pose of evading any provision of this Act, or the taking of orders or the making  
3 of agreements, at or within any political subdivision or district while the same is  
4 Anti-Saloon Territory, for the sale or delivery of any intoxicating liquor, or  
5 other shift or device to evade any provision of this Act, shall be held to be an un-  
6 lawful selling.

Sec. 14. All places where intoxicating liquor is sold in violation of any pro-  
2 vision of this Act shall be taken and held and are declared to be common nuis-  
3 ances and may be abated as such; and whoever shall keep any such place, by him-  
4 self or his agent or servant, shall, for each offense, upon conviction thereof, be  
5 fined not less than fifty (50) dollars nor more than one hundred (100) dollars and  
6 confined in the county jail not less than twenty (20) days, nor more than fifty  
7 (50) days, and it shall be a part of the judgment, upon the conviction of the  
8 keeper, that the place where liquor is found to have been sold contrary to this  
9 Act, be shut up and abated until the keeper shall give bond, with sufficient  
10 security to be approved by the court, in the penal sum of one thousand (1,000)  
11 dollars, payable to the People of the State of Illinois, conditioned that he will

12 not sell intoxicating liquor contrary to law, and will pay all fines,  
13 costs and damages assessed against him for any violation thereof; and in  
14 case of a violation of the condition of such bond, suit may be brought and re-  
15 covery had thereon for the use of the county, city, town or village for any fine  
16 or fines that may be assessed against him under this Act.

Sec. 15. Any clerk, judge of election, police officer or other officer of the  
2 law, who shall refuse or neglect or fail to discharge any duty imposed by this  
3 Act, and anyone who signs a petition provided for in this Act, knowing he is  
4 not qualified to do so, or who files with the clerk any such petition or any sheet  
5 or other part thereof knowing that it contains the signature of a person not  
6 qualified to sign the same, or who receives, requests or demands or gives, offers  
7 or promises any reward for the signing or the refraining from signing of any  
8 such petition, or who by treating or giving intoxicating liquor or anything else,  
9 or by threats to injure another in person or property, or by betting or other de-  
10 vice, either directly or indirectly influences or attempts to influence anyone to  
11 sign or refrain from signing any such petition, shall upon conviction thereof  
12 be fined not less than twenty (20) dollars, nor more than two hundred (200) dol-  
13 lars, or imprisoned in the county jail for not less than ten (10) days nor more  
14 than ninety (90) days, or both, in the discretion of the court. If any person  
15 shall be convicted of violating any provision of this section and shall subse-  
16 quently violate any provision of this section, for such second and each subse-  
17 quent violation he shall, upon conviction thereof, be fined not less than twenty  
18 (20) dollars nor more than two hundred (200) dollars and imprisoned in the  
19 county jail for not less than ten (10) days nor more than ninety (90) days.

Sec. 16. All offenses defined or mentioned in this Act may be prosecuted



2 in any court of record having criminal jurisdiction, or the fines prescribed in  
3 this Act may be sued for and recovered before any court having jurisdiction  
4 thereof or any justice of the peace of the proper county, in the name of the  
5 People of the State of Illinois; and in case of conviction the offender shall stand  
6 committed to the county jail until the judgment and costs are fully paid.

Sec. 17. Any two householders, not attorneys admitted to practice law in  
2 this State, may in term time or in vacation, file in the office of the clerk of the  
3 circuit court of the proper county, a petition for leave to prosecute an action or  
4 actions of debt in the name of the People of the State of Illinois, upon the rela-  
5 tion of the petitioners, for the recovery of any penalty or penalties for the vio-  
6 lation of any of the provisions of this Act. Such petitioners shall at the time  
7 of presenting such petition, enter into bond payable to the People of the State  
8 of Illinois in the penal sum of five hundred (500) dollars, with security to be  
9 approved by the clerk, conditioned that they will cause such suit or suits to be  
10 faithfully prosecuted to a conclusion with all convenient speed, and in default  
11 of so doing will promptly pay any penalty which may be imposed upon them in  
12 the proceeding in which such petition is filed. Upon the filing of such petition  
13 and such bond, approved as aforesaid, in term time the judge of the court shall  
14 enter an order in accordance with such petition. Upon the filing of such peti-  
15 tion and such bond, approved as aforesaid, in vacation such petitioners may pros-  
16 ecute such suit or suits in accordance with such petition until such time in the  
17 next succeeding term as the judge of the court shall pass upon such petition;  
18 at that time said judge shall pass upon such petition and shall enter an order in  
19 accordance therewith unless good reason be shown to the contrary, and if good  
20 reason be shown to the contrary he shall deny the same and enter an order that  
21 petitioners dismiss at their costs any suit or suits which may in the meantime



22 have been commenced. Such petitioners may name in their petition an attorney  
 23 at law, duly licensed to practice law in this State, as the attorney whom they de-  
 24 sire to employ in such suit or suits, and if the selection of such attorney is ap-  
 25 proved by the court and any fine or fines shall be paid as the result of prosecut-  
 26 ing such suit or suits, such court may allow out of the amount of such fine or  
 27 fines a reasonable compensation for such attorney and the balance of such fine  
 28 or fines shall be paid into the Common School Fund of this State. No suit or  
 29 suits begun under the provisions of this section, except such as the court orders  
 30 the petitioners to dismiss, shall be dismissed without the consent of the State's  
 31 Attorney of the county. If any suit begun by petitioners under the provisions  
 32 of this section is not undertaken and prosecuted to a conclusion in good faith,  
 33 and with all convenient speed, the court may, by an order entered in such pro-  
 34 ceeding, impose upon the petitioners a penalty of not less than five (5) dollars  
 35 and not more than fifty (5) dollars in each case, for the use of the Common  
 36 School Fund of this State, and in case such penalty is not promptly paid to the  
 37 County Superintendent of Schools he may sue and recover the same from the  
 38 petitioners and the sureties upon the bond entered into by petitioners for the  
 39 use of such School Fund. In case of conviction in any suit brought by the peti-  
 40 tioners as provided for in this section the offender shall stand committed to the  
 41 county jail until the judgment and costs are fully paid.

Sec. 18. In all prosecutions under this Act, by indictment or otherwise, it  
 2 shall not be necessary to state the kind of liquor sold; nor to describe the place  
 3 where sold; nor to show the knowledge of the principal to convict for the acts  
 4 of an agent or servant; nor to state the name of any person to whom liquor is  
 5 sold; nor to set forth the facts showing that the required number of legal voters  
 6 petitioned for the submission to the voters of said proposition, nor that a major

ity of the legal voters voting upon said proposition voted "Yes," but it shall be sufficient to state in that regard that the act complained of took place in an Anti-Saloon Territory or district. The issuance of an internal revenue special tax stamp or receipt by the United States to any person as a wholesale or retail dealer in liquors or in malt liquors at any place within territory which, at the time of the issuance thereof, is Anti-Saloon Territory, shall be *prima facie* evidence of the sale of intoxicating liquor by such person at such place, or at any place of business of such person within such territory where such stamp or receipt is posted, and at the time charged in any suit or prosecution under this Act: *Provided*, Such time is within the life of such stamp or receipt.

Sec. 19. Nothing in this Act shall be construed to forbid or prevent the sale within Anti-Saloon Territory by druggists to whom permits or licenses therefor have been duly granted in the manner provided by law, of liquor for medicinal, mechanical, sacramental and chemical purposes only, not to be drunk upon the premises under any circumstances, so long as such druggist in good faith shall keep a true and an exact record in a book, which he shall provide for the purpose, in which shall be entered at the time of every sale of intoxicating liquor made by him or in or about his place of business to all persons whomsoever, the date of such sale, the name of the purchaser, and his residence (stating the street and the house number if there be such), the quantity and kind of such liquor and the purpose for which the same is sold, and so long as such druggist shall keep such book open to the full and free inspection of the police and all public officers elected and appointed and their deputies and agents during business hours. Nothing in this Act shall be construed to forbid or prevent the sale of intoxicating liquor according to the terms of a dram shop or other municipal license, regularly issued in good faith according to law and which has not expired at the

17 time that the vote shall become operative in the Anti-Saloon Territory thereby  
18 created, for the period of thirty days after such vote shall have been taken creat-  
19 ing such Anti-Saloon Territory; and the sale of intoxicating liquor in such Anti-  
20 Saloon Territory after the expiration of said period of thirty days shall be un-  
21 lawful and punishable according to the provisions of this Act: *Provided*, That  
22 any portion of the dram shop or other municipal license fee which shall have  
23 been paid and which shall represent the unexpired period for which said dram  
24 shop or other municipal license was issued, shall be refunded by the municipality  
25 receiving the same. Nothing in this Act shall be construed to forbid or prevent  
26 the sale at wholesale by a manufacturer who manufactures from the raw mate-  
27 rials of the product of his own manufactory located within Anti-Saloon Terri-  
28 tory for delivery outside the limits of such territory.

1 Introduced by Mr. Canaday, January 31, 1907.

2 Read by title, ordered printed and referred to Committee on Mines and Mining.

## A BILL

For an Act to amend Section thirty-three (33) of an Act entitled, "An Act to revise the laws in relation to coal mines and subjects relating thereto, and providing for the health and safety of persons employed therein," approved April 18, 1899, in force July 1, 1899, (be amended so as to read as follows):

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That Section thirty-three of an Act entitled, "An Act to revise the laws in relation to coal mines, and subjects relating thereto and providing for the health and safety of persons employed therein," approved April 18, 1889, in force July 1, 1899, be amended so as to read as follows:

### PENALTIES.

FOR VIOLATING THIS ACT—Section 33. Any wilful neglect, refusal or failure to do the things required to be done by any section clause or provision of this Act, on the part of the person or persons herein required to do them, or any violation



10 of any of the provisions or requirements hereof, or any attempt to obstruct or in-  
 11 terfere with any inspector in the discharge of the duties herein imposed upon him,  
 12 or any refusal to comply with the instructions of (of) an inspector given by  
 13 authority of this Act, shall be deemed a misdemeanor punishable by a fine not ex-  
 14 ceeding five hundred dollars, or by imprisonment in the county jail for a period  
 15 not exceeding six months, or both, at the discretion of the Court: *Provided*, That  
 16 in addition to the above penalties, in case of the failure of any operator to com-  
 17 ply with the provisions of this Act in relation to the sinking of escapement shafts and  
 18 the ventilation of mines, the State's Attorney for the county in which such failure oc-  
 19 curs, or any other attorney in case of his neglect to act promptly, shall proceed against  
 20 such operator by injunction without bond, to restrain him from continuing to op-  
 21 erate such mine until all legal requirements shall have been fully complied with.

22 Any inspector who shall discover that any section of this Act, or part thereof,  
 23 is being neglected or violated, shall order immediate compliance therewith, and, in  
 24 case of continued failure to comply, shall, through the State's Attorney, or any  
 25 other attorney in case of his failure to act promptly, take the necessary legal steps  
 26 to enforce compliance therewith through the penalties herein prescribed.

27 If it becomes necessary, through the refusal or failure of the State's Attorney to  
 28 act, for any other attorney to appear for the State in any suit involving the en-  
 29 forcement of any provision of this Act, reasonable fees for the services of such at-  
 30 torney shall be allowed by the Board of Supervisors or County Commissioners, in  
 31 and for the county in which such proceedings are instituted.

32 For any injury to person or property, occasioned by any wilful violations of  
 33 this Act, or wilful failure to comply with any of its provisions, a right of action  
 34 shall accrue to the party injured, for any direct damages sustained thereby; and in  
 35 case of loss of life by reason of such wilful violation or wilful failure as aforesaid, a  
 36 right of action shall accrue to the widow of the person so killed, his lineal heirs or  
 37 adopted children, or to any other person or persons who were, before such loss of



38 life, dependent for support on the person or persons so killed, for a like recovery  
39 of damages for the injuries sustained by reason of such loss of life or lives not to  
40 exceed the sum of *ten* thousand dollars.



AMENDMENT TO

45th Assem.

HOUSE—No. 142

Apr. 1907

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Amend to House Bill No. 142, adopted by the House April 19, 1907.

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AMENDMENT NO. 1.

Amend House Bill No. 142 by adding after the word “dollars” in line 40 of the printed bill the following: “provided that every such action for damages in case of death, shall be commenced within one year after the death of such person.”



Introduced by Mr. Church, January 31, 1907.

Read by title, ordered printed and referred to Committee on Municipal Corporations.

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## A BILL

For an act to authorize County Boards to let portions of County Buildings to the State or to any city, town, village, or any other municipal corporation.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the County Boards of the different counties of this State be and they hereby are authorized to let or lease any part or portions of the county buildings of their respective counties to the State of Illinois, or to any city, town, village, or any other municipal corporation to be used by the State or such city, town or village, or other municipal corporation for the following purposes only, viz: As court rooms or as offices for its officers or employees. No lease shall be for a period longer than five years, but any lease may, at its expiration, be renewed for a like period with like power of renewal.





Introduced by Mr. Clapsaddle, January 31, 1907.

Read by title, ordered printed and referred to Committee on Insurance.

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## A BILL

for an act entitled "An Act to regulate the business of fire, and inland navigation and tornado insurance by association partnerships, firms and individuals."

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in*  
2 *the General Assembly:* That before any association partnership, firm or individual  
3 shall engage in the business of underwriting fire, inland navigation or tornado in-  
4 surance in this State, they or he shall file in the office of the Insurance Superinten-  
5 dent a declaration of purposes stating where the office of the association partner-  
6 ship, firm or individual is to be located, the amount of assets to be engaged in the  
7 business, the financial standing in detail of each person proposing to go into the  
8 business, with the amount contributed to such business by each person, the kind of  
9 business to be transacted, the name and residence of each individual about to  
0 engage therein, and the name under which the business will be transacted; and if  
1 under the laws of this State before a corporation engaging in a like business in this  
2 State, is permitted to engage therein, it is required to make a deposit of funds or  
3 securities with the Insurance Superintendent before commencing business, such asso-

14 ciation partnership, firm or individual shall be required to comply with the same  
15 requirements, and under like circumstances, so far as may be, shall be required to  
16 comply with all the regulations applicable to corporations engaged in the same or  
17 similar business in this State.

Sec. 2. Every policy written by any association partnership, firm or individual  
2 shall have plainly written in the face of the policy the name and residence of each  
3 individual assuming the risk or any part thereof, and no policy shall be written in  
4 any fictitious name, or in any name indicating that the underwriter is a corpora-  
5 tion, and printed at the top on the face of each policy, and in the most conspic-  
6 uous place on the back thereof in the largest type used therein or thereon shall be  
7 the words in clear English type "not incorporated."

Sec. 3. That the declaration of purposes provided for in section one of this Act  
2 shall be upon the affidavit of each person proposing to enter business, subscribed  
3 and sworn to in due form, and the character of the business proposed to be trans-  
4 acted shall be set out in detail: and no other insurance business shall be transacted  
5 by such association partnership, firm or individual other than that stated in said  
6 declaration.

Sec. 4. That every association partnership, firm or individual engaging in the  
2 business of insurance in this State contemplated by this Act, shall be required to  
3 make like report, and shall be subject to the same burdens and responsibilities as  
4 are by law imposed upon corporations engaged in the same or similar business in  
5 this State under like circumstances.

Sec. 5. Every person who shall engage in the business of insurance contemplated  
2 by this Act, in this State without complying with the provisions of this Act, or  
3 having engaged therein shall refuse or neglect to comply with the requirements of

this Act, or with the provisions of the laws of this State applicable to incorporations engaged in the same or like business, which are by the provisions of this Act made applicable to association partnerships, firms and individuals engaged in the insurance business in this State, shall be subject to a penalty of not less than five hundred nor exceeding one thousand dollars, and each policy written or risk assumed shall be deemed a separate violation.

Sec. 6. The penalty provided in the preceding section shall be recoverable in an action of debt at the suit of the Attorney General, the Insurance Superintendent or the State's Attorney of the County in which the violation occurs, or may be recovered by indictment or information as for a misdemeanor.

Sec. 7. All laws and parts of laws and amendments thereto in conflict herewith are hereby repealed.





Introduced by Mr. Clapsaddle, January 31, 1907.

Read by title, ordered printed and referred to Committee on Fish and Game.

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## A BILL

for an act entitled "An Act to amend section 1 of an Act entitled "An Act for the protection of game, wild fowl and birds, and to repeal certain acts relating thereto," approved April 28, 1903, in force July 1, 1903, as amended by an act approved May 18, 1905, in force July 1, 1905.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section one of an act entitled, "An Act for the protection of game, wild fowl and birds, and to repeal certain acts relating thereto," approved April 28, 1903, in force July 1, 1903, as amended by an act approved May 18, 1905, in force July 1, 1905, be and the same is hereby amended so as to read as follows:

"Sec. 1. It is hereby declared to be unlawful to hunt, kill, net, entrap, ensnare, or destroy, or attempt to hunt, kill, net, entrap, ensnare, or destroy or have in possession any quail, between the twentieth day of December, and the

4 *thirtieth* day of November of each succeeding year; or, any ruffed grouse (part-  
5 ridge) or pinnated grouse (prairie chicken) for a period of four years from the  
6 *thirtieth day of June A. D. of the year one thousand nine hundred and seven;*  
7 or any woodcock, or mourning dove between the first day of December and the  
8 first day of August of each succeeding year, or any gray, red, fox or black  
9 squirrel between the thirty-first day of December and the first day of July of  
10 each succeeding year; or any jack snipe, Wilson's snipe, sand snipe or any gold-  
11 en plover, upland plover or any kind of plover between the first day of May  
12 and the first day of September of any year. And it shall be unlawful to kill,  
13 hunt, ensnare, entrap or attempt to kill, hunt, ensnare, entrap or otherwise des-  
14 troy any wild goose, duck, brant or other water fowl at any time between the  
15 fifteenth day of April and the first day of September of any year. And it shall  
16 be unlawful to hunt, entrap, kill, ensnare or attempt to hunt, kill, entrap, en-  
17 snare or otherwise destroy any wild goose, duck, brant, rail or other water fowl  
18 between the sunset of any day and the sunrise of next succeeding day at any  
19 period of the year. And it shall be further unlawful at any time to hunt, kill,  
20 entrap, ensnare, or attempt to hunt, kill, entrap or ensnare or otherwise destroy  
21 any wild goose, brant, duck or any other water fowl from any fixed or artificial  
22 ambush beyond the line of natural covering of reeds, canes, willows, flags,  
23 crooked brush, wild rice or other vegetation above the water of any lake, river,  
24 bay or inlet, or other water course wholly within the State, or with the aid or  
25 use of any device commonly called sneak boat, sink box or other device for the  
26 purpose of concealment in the open waters of this State. And it shall further  
27 be unlawful to shoot, kill or destroy or shoot at any wild goose, duck, brant or  
28 other water fowl with a swivel gun, or from any sail boat, gasoline or electric  
29 launch or steam boat, at any time in any part of the water of any lake, river, bay  
30 or inlet or other water course wholly within this State: *Provided, That it*

31 shall be unlawful to kill, entrap, ensnare or otherwise destroy any of the ducks,  
32 geese or brant mentioned in this section at any time for market or other com-  
33 mercial purposes, nor more than thirty-five by one person in one day. Any per-  
34 son or persons so offending shall for each and every offense be deemed guilty of  
35 a misdemeanor and on conviction shall be fined in any sum not less than fifteen  
36 dollars (\$15.00) nor more than fifty dollars (\$50.00) and costs of suit, and shall  
37 stand committed to the county jail until such fines and costs are paid: *Provided,*  
38 That such imprisonment shall not exceed ten days, and the killing of each bird  
39 or animal herein specified shall be deemed a separate offense.”



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- 1 Introduced by Mr. Clark, January 31, 1907.
  - 2 Read by title, ordered printed and referred to Committee on Judiciary.
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## A BILL

For an Act making it a felony to carry concealed weapons.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in*  
2 *the General Assembly:* That whosoever shall carry concealed weapons upon or  
3 about his person of the character in this Act specified or razor as a weapon or  
4 display in a threatening manner any pistol, revolver, slungshot, brass, steel or iron  
5 knuckles, shall be deemed guilty of a felony, and upon conviction shall be punished  
6 by imprisonment in the penitentiary for a term of one year and be fined not less  
7 than fifty dollars or more than five hundred dollars.

Sec. 2. Act not to apply to certain officers.

2 Section one of this Act shall not apply to sheriffs, coroners, constables, police-  
3 men or other peace officers while engaged in the discharge of their official duties or  
4 to any person summoned by any of such officers to assist in making arrests or  
5 preserving the peace while such person so summoned is engaged in assisting such  
6 officer.

7 All acts and parts of acts in conflict with this Act are hereby repealed,





1 Introduced by Mr. Covey, January 31, 1907.

2 Read by title, ordered printed and referred to Committee on Municipal Corporations:

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## A BILL

For an Act to confer upon cities of more than five thousand inhabitants in the State of Illinois the power and authority to sell surplus electricity, and to fix the rates and charges for the supplying of gas and electricity and hot water or steam for power heating and lighting furnished by an individual, company or corporation to such cities and inhabitants thereof.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That any city in the State of Illinois having more than five thousand inhabitants by the last federal census, shall have the power and authority to sell surplus electricity for heat, light and power within the corporate limits of said city, and is hereby empowered to prescribe by ordinance maximum rates and charges for the supply of gas, electricity and hot water or steam for power, heating or lighting furnished by an individual, company or corporation to such city and the inhabitants thereof. Such rates and charges to be just and reasonable and may be fixed for a period not exceeding five years and in case the cor-

10 porate authorities of any such city shall fix unjust or unreasonable rates and  
11 charges, the same may be reviewed and determined by the Circuit Court of the  
12 county, in which said city is situated: *Provided*, That nothing in this Act con-  
13 tained shall be construed as permitting such cities to sell electricity so long as the  
14 same is needed for light, heat and power for municipal purposes.

- 1 Introduced by Mr. Fitch, January 31, 1907.
- 2 Read by title, ordered printed and referred to Committee on Insurance.

## A BILL

For an act relating to the transaction of the business of life insurance in the State of Illinois, and regulating the conditions and provisions to be contained in policies of life insurance companies, organized under the laws of this State, or doing business herein.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That hereafter no policy of life insurance shall be issued by any company organized under the laws of this State or doing business within this State, unless the same shall contain the following provisions:

(1) A provision that all premiums shall be payable in advance either at the home office of the company or to an agent of the company, upon delivery of a receipt signed by one or more of the officers who shall be named in the policy.

9       (2) A provision for a grace of one month for the payment of every pre-  
10 mium after the first, which may be subject to an interest charge, during which  
11 month the insurance shall continue in force. Which provision may contain a  
12 stipulation that if the insured shall die within the month of grace, the overdue  
13 premium will be deducted in any settlement under the policy.

14       (3) A provision that the policy, together with the application therefor, if a  
15 copy of such application be endorsed upon or attached to the policy and made  
16 a part thereof, shall constitute the entire contract between the parties and shall  
17 be incontestable after two years from its date, except for non-payment of pre-  
18 miums and except for violations of the conditions of the policy relating to naval  
19 and military service in time of war.

20       (4) A provision that all statements made by the insured, shall, in the ab-  
21 sence of fraud, be deemed representations and not warranties and that no such  
22 statement shall avoid the policy unless it shall be contained in the application  
23 therefor and a copy of such application shall be endorsed upon or attached to  
24 the policy when issued.

25       (5) A provision that if the age of the insured has been understated, the  
26 amount payable under the policy shall be such as the premium would have pur-  
27 chased at the correct age.

28       (6-A) A provision that the policy shall participate in the surplus of the  
29 company, and any policy containing provisions for participation at the end of the  
30 first policy year, and annually thereafter, shall also provide that the first dividend  
31 shall be paid subject to the payment of the premium for the next ensuing year;  
32 and the owner of any annual dividend policy shall have the right each year after  
33 the first year to have the current dividend arising from such participation paid



34 in cash, and if the policy shall provide other dividend options, it shall further  
35 provide that if the owner of said policy shall not elect any such other options,  
36 the dividend shall be paid in cash.

37 Such participation may, however, begin not later than the 20th policy year.

38 (6-B) If any company shall issue any policies under the terms of which  
39 the payment of dividends is deferred later than the 3rd policy year, such compa-  
40 ny shall furnish the insurance superintendent each year a statement showing the  
41 number and amount of all policies with deferred dividends in force at the begin-  
42 ing of the year for which the statement is made; of all such policies issued and  
43 revived or terminated during the said year with the mode of termination; and  
44 the number and the amount of all such policies in force at the end of said year.  
45 Also a statement showing any and all amounts set apart provisionally ascertained  
46 or calculated or held awaiting apportionment upon such policies at the beginning  
47 of said year, the additions made to the said fund during the year with the source  
48 from which such additions arose, the deductions made from the said funds during  
49 the year, with the reasons therefor and the amount of said fund at the end of  
50 the year; which shall be carried as a distinct and separate liability to such class  
51 of policies on and for which the sum was accumulated.

52 Upon written request of the insured under any deferred dividend policy,  
53 after said policy shall have been in force more than three years, the company  
54 shall furnish said policyholder with a statement of the amount of surplus pro-  
55 visionally ascertained or set aside on such policy and held awaiting apporportion-  
56 ment at the expiration of the deferred dividend period.

57 (6-C) The provisions of this section shall not apply to paid up or tempor-

58 ary or pure endowment insurance issued or granted in exchange for lapsed or  
 59 surrendered policies or to non-participating policies or annuities or to corpora-  
 60 tions or associations operating life insurance on the assessment or fraternal  
 61 plan.

62 (7) A provision that after three full years' premiums have been paid, the  
 63 company at any time, while the policy is in force, will advance, on the execution  
 64 of a proper note or voucher by the insured, and on proper assignment of the  
 65 policy and on the sole security thereof, at a specified rate of interest, a sum equal  
 66 to, or at the option of the owner of the policy, less than, the reserve at the end  
 67 of the current policy year on the policy and on any dividend additions thereto,  
 68 specifying the mortality table and the rate of interest adopted for computing  
 69 such reserve, less a sum not more than two and one-half per centum of the  
 70 amount insured by the policy and of any dividend additions thereto; and that the  
 71 company will deduct from such loan value any existing indebtedness on or se-  
 72 cured by the policy and any unpaid balance of the premium for the current pol-  
 73 icy year, and may collect interest in advance on the loan to the end of the cur-  
 74 rent policy year; which provision may further provide that such loan may be  
 75 deferred for not exceeding six months after the application therefor is made.

76 No condition other than as herein provided shall be exacted as a prerequis-  
 77 ite to any such advance.

78 This provision shall not be required in term insurance.

79 (8) A provision which, in event of default in premium payments, after pre-  
 80 miums shall have been paid for three years, shall secure to the owner of the  
 81 policy a stipulated form of insurance, the net value of which shall be at least

equal to the reserve at the date of default on the policy and on dividend additions thereto, if any, specifying the mortality table and rate of interest adopted for computing such reserve, less, a sum not more than two and a half per centum of the amount insured by the policy and of existing dividend additions thereto, if any, and less any existing indebtedness to the company on or secured by the policy. Such provision shall stipulate that the policy may be surrendered to the company at its home office within one month of date of default for a specified cash value at least equal to the sum which would otherwise be available for the purchase of insurance as aforesaid and may stipulate that the company may defer payment for not more than six months after the application therefor is made.

This provision shall not be required in term insurance of twenty years or less.

(9) A table showing in figures the loan values, and the options available under the policies each year upon default in premium payments, during at least the first twenty years of the policy, beginning with the year in which such values and options become available.

(10) A provision that if in event of default in premium payments, the value of the policy shall be applied to the purchase of other insurance, and if such insurance shall be in force and the original policy shall not have been surrendered to the company and canceled, the policy may be reinstated within three years from such default, upon evidence of insurability satisfactory to the company and payment of arrears of premiums with interest.

(11) A provision that when a policy shall become a claim by the death of the insured, settlement shall be made upon receipt of proof of death and of the in-



107 terest of the claimant and not later than two months after the receipt of such  
108 proof.

109 (12) A table showing the amount of installments in which the policy may  
110 provide its proceeds may be payable.

111 (13) Title on the face and on the back of the policy, correctly describing  
112 the same.

Sec. 2. No policy of life insurance shall be issued or delivered in this State  
2 or be issued by a life insurance company organized under the laws of this State,  
3 if it contain any of the following provisions:

4 1. A provision for forfeiture of the policy for failure to repay any loan on  
5 the policy or to pay interest on such loan while the total indebtedness on the pol-  
6 icy is less than the loan value thereof; or any provision for forfeiture for failure  
7 to repay any such loan or to pay interest thereon, unless such provision contain  
8 a stipulation that no such forfeiture shall occur until at least one month after  
9 notice shall have been mailed by the company to the last known address of the  
10 insured and of the assignee, if any.

11 2. A provision limiting the time within which any action at law or in equity  
12 may be commenced to less than five years after the cause of action shall accrue.

13 3. A provision by which the policy shall purport to be issued or to take ef-  
14 fect more than six months before the original application for the insurance was  
15 made.

16 4. A provision that in event of the maturity of any policy after the expir-  
17 ation of the contestable period thereof for any mode of settlement at maturity

18 of less value than the amount insured on the face of the policy, plus dividend  
 19 additions, if any, less any indebtedness to the company on or secured by the pol-  
 20 icy and less any premium that may, by the terms of the policy, be deducted.

Sec. 3. No policy of life insurance shall be issued or delivered in this State  
 2 or be issued by a life insurance company organized under the laws of this State  
 3 until the form of the same has been filed with the Insurance Superintendent; and  
 4 after the Insurance Superintendent shall have notified any company of his dis-  
 5 approval of any form, it shall be unlawful for such company to issue any policy  
 6 in the form so disapproved. The Insurance Superintendent's action shall be  
 7 subject to review by any court of competent jurisdiction.

Sec. 4. The policies of a life insurance company, not organized under the  
 2 laws of this State, may contain any provision which the law of the state, ter-  
 3 ritory, district or country under which the company is organized prescribes shall  
 4 be in such policies when issued in this State, and the policies of a life insurance  
 5 company organized under the laws of this State may, when issued or delivered  
 6 in any other state, territory, district or country, contain any provision required  
 7 by the laws of the state, territory, district or country in which the same are is-  
 8 sued, anything in this Act to the contrary notwithstanding.

Sec. 5. This Act shall not apply to annuities, industrial policies or to cor-  
 2 porations or associations operating on the assessment or fraternal plan.

Sec. 6. Wherever the word "Company" is used in this Act it shall be held  
 2 to include corporations and associations.

Sec. 7. All acts and parts of acts inconsistent with the provisions here-  
 2 with are hereby repealed.





1 Introduced by Mr. Coyle, January 31, 1907.

2 Read by title, ordered printed and referred to Committee on Appropriations.

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## A BILL

For an act to make an appropriation for a manual arts building and auditorium at  
the Illinois State Normal University.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in*  
2 *the General Assembly:* That the sum of one hundred thousand dollars (\$100,000)  
3 be, and the same is hereby appropriated to the State Normal University for the  
4 erection and completion of a manual arts building and auditorium.

Sec. 2. The Auditor of Public Accounts is hereby authorized and required to  
2 draw his warrant upon the treasurer for the aforesaid sum of money upon the order of  
3 the Board of Education of the State of Illinois, signed by the president and attested  
4 by the secretary of said board with corporate seal of said institution, as may be  
5 necessary to carry out the purposes of this Act.



- 1 Introduced by Mr. Fulton, January 31, 1907.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

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## A BILL

For an act to amend an Act entitled "An Act to establish and maintain a Soldiers' and Sailors' Home in the State of Illinois, and making an appropriation for the purchase of land and the construction of the necessary buildings," approved June 26, 1885, in force July 1, 1885, as amended by an act approved May 13, 1903, in force July 1, 1903.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*  
2 *General Assembly:* That section 3 A of an Act entitled "An act to establish and  
3 maintain a Soldiers' and Sailors' Home in the State of Illinois, and making an  
4 appropriation for the purchase of land and the construction of the necessary  
5 buildings," approved June 26, 1883, in force July 1, 1885, as amended by an act  
6 approved May 13, 1903, in force July 1, 1903, be, and the same is hereby amended  
7 so as to read as follows:

Sec. 3 A. When any person who has been a soldier or a sailor is an inmate, or  
2 becomes an inmate of the Soldiers' and Sailors' Home at Quincy, the wife of such  
3 soldier or sailor shall be admitted as an inmate of said home, subject to the  
4 rules and regulations adopted by the trustees of said home, to govern the admis-  
5 sion of applicants: *Provided*, Said wife and said soldier or sailor were married  
6 prior to January 1, 1890, and when said wife shall be of the age of 55 years or  
7 older. For the purpose of erecting the cottages and hospital necessary to provide  
8 accommodations for the persons whose admission to the Soldiers' and Sailors'  
9 Home of the State of Illinois is contemplated by this Act, the sum of \$150,000, or  
10 so much thereof as may be necessary be, and the same is hereby appropriated, to  
11 be paid out of any money in the State Treasury not otherwise appropriated.



- 1 Introduced by Mr. Gaunt, January 31, 1907.
- 2 Read by title, ordered printed and referred to Committee on Insurance.

## A BILL

For an act creating the office of State Fire Marshal, prescribing his duties and providing for his compensation and for the maintenance of his office.

SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* That the Governor is hereby authorized  
3 and empowered to appoint within sixty days after this Act shall take effect, and  
4 every four (4) years thereafter, between the 15th day of January and the 1st day of  
5 February, by and with the advice and consent of the Senate, and also within  
6 thirty days after the occurrence of a vacancy in the office, a suitable person who  
7 shall be a citizen of this State, as State Fire Marshal, who shall hold office until  
8 his successor is appointed and qualified, the title of which office shall be *State Fire*  
9 *Marshal*. Such officer shall keep his office at the capitol in the city of Springfield,  
10 and may be removed for cause at any time by the Governor.

Sec. 2. The State Fire Marshal is hereby empowered and required to appoint two deputy fire marshals to be designated as first and second deputies, and one chief assistant. The duties of said deputies and chief assistant shall be to assist the State Fire Marshal, and such appointees may be removed for cause by the said Fire Marshal.

Sec. 3. In the event of a vacancy in the office of Fire Marshal, or during the absence or disability of that officer, the First Deputy Marshal shall perform the duties of the office.

Sec. 4. The State Fire Marshal is hereby empowered to appoint such additional deputy fire marshals and such office assistants as may be necessary for the proper and efficient conduct of his office.

Sec. 5. The State Fire Marshal and the chief of the fire department of every city or village in which a fire department is established, and the mayor of every incorporated village or town in which no fire department exists, and the township clerk of every organized township without the limits of any organized village or city, shall investigate the cause, origin and circumstance of every fire occurring in such city, village, town or township by which property has been destroyed or damaged, and shall especially make investigation as to whether such fire was the result of carelessness or design. Such investigation shall be begun within two days, not including Sunday, of the occurrence of such fire, and the fire marshal shall have the right to supervise and direct such investigation whenever he deems it expedient or necessary. The officer making investigation of fires occurring in cities, villages, towns or townships shall forthwith notify said Fire Marshal and shall within one week of the occurrence of the fire, furnish to the said Fire Marshal a written statement of all facts relating to the cause and origin

15 of the fire, and such other information as may be called for by the blanks pro-  
16 vided by said Fire Marshal. The State Fire Marshal shall keep in his office a rec-  
17 ord of all fires occurring in the State, together with all facts, statistics and cir-  
18 cumstances, including the origin of the fires, which may be determined by the in-  
19 vestigations provided by this Act; such record shall at all times be open to the  
20 public inspection, and such portions of it as the Insurance Commissioner may  
21 deem necessary shall be transcribed and forwarded to him within fifteen days  
22 from the first of January of each year.

Sec. 6. The State Fire Marshal shall, when in his opinion further investiga-  
2 tion is necessary, take or cause to be taken the testimony on oath of all persons  
3 supposed to be cognizant of any facts or to have means of knowledge in relation to  
4 the matter as to which an examination is herein required to be made, and shall  
5 cause the same to be reduced to writing; and if he shall be of the opinion that  
6 there is evidence sufficient to charge any person with the crime of arson, or with  
7 the attempt to commit the crime of arson, or of conspiracy to defraud, he shall  
8 cause such person to be arrested and charged with such offense or either of them,  
9 and shall furnish to the proper prosecuting attorney all such evidence, together  
10 with the names of witnesses and all of the information obtained by him, including  
11 a copy of all pertinent and material testimony taken in the case, and shall report  
12 to the Insurance Commissioner, as often as such Commissioner shall require, his  
13 proceedings and the progress made in all prosecutions under this Act, and the  
14 result of all cases which are finally disposed of.

Sec. 7. The State Fire Marshal, Deputy State Fire Marshals and Chief As-  
2 sistant Fire Marshal, shall each have power in any county in the State of Illinois  
3 to summon and compel the attendance of witnesses before them, or either of

4 them, to testify in relation to any matter which is by the provisions of this Act a  
5 subject of inquiry and investigation, and may require the production of any book,  
6 paper or document deemed pertinent thereto by them or either of them. Said  
7 State Fire Marshal, Deputy State Fire Marshals and Chief Assistant Fire Mar-  
8 shal are each hereby authorized and empowered to administer oaths and affirma-  
9 tions to any persons appearing as witnesses before them, and false swearing in  
10 any matter or proceeding aforesaid shall be deemed perjury and shall be punished  
11 as such. Any witness who refuses to be sworn, or who refuses to testify, or who  
12 disobeys any lawful order of said State Fire Marshal, Deputy State Fire Marshals  
13 or Assistant Fire Marshal, or who fails or refuses to produce any book, paper or  
14 document touching any matter under examination, or who is guilty of any con-  
15 temptuous conduct after being summoned by them, or either of them, to appear  
16 before them, or either of them, to give testimony in relation to any matter or  
17 subject under investigation as aforesaid, shall be deemed guilty of a misdemeanor  
18 and it shall be the duty of the State Fire Marshal, Deputy State  
19 Fire Marshals or Chief Assistant State Fire Marshal, or either of  
20 them, to make complaint against said person or persons so refusing  
21 to comply with the summons or order of said State Fire Marshal, Deputy  
22 State Fire Marshals or Chief Assistant Fire Marshal, before any justice of the  
23 peace, police magistrate, or in any court of record in the county in which said  
24 investigation is being had, and upon the filing of such complaint, such cause shall  
25 proceed in the same manner as other criminal cases, and upon conviction any such  
26 person guilty of a violation of the provisions of this Act shall be fined in a sum  
27 not exceeding twenty-five dollars (\$25.00) and imprisoned until such fine is paid.  
28 Said State Fire Marshal and his subordinates, or either of them, shall have the  
29 authority at all times of day and night, in the performance of the duties imposed



30 by the provisions of this Act, to enter upon and examine any building or prem-  
 31 ises where any fire has occurred, and other buildings and premises adjoining or  
 32 near the same. All investigations held by or under the direction of said State  
 33 Fire Marshal may, in his discretion, be private, and persons other than those re-  
 34 quired to be present by the provisions of this Act, may be excluded from the  
 35 place where such investigation is held, and witnesses may be kept separate and  
 36 apart from each other and not allowed to communicate with each other until they  
 37 have been examined.

Sec. 8. The State Fire Marshal, his deputies and assistants, the chief of fire  
 2 department of all villages and cities where a fire department is established, and  
 3 the mayor of cities or villages where no fire department exists, and the clerks of  
 4 each township in the territory without the limits of an organized city or village,  
 5 upon complaint of any person having an interest in any building or property ad-  
 6 jacent, and without any complaint, shall have a right at all reasonable hours, for  
 7 the purpose of examination, to enter into and upon all buildings and premises  
 8 within their jurisdiction. Whenever any of said officers shall find any building,  
 9 or other structure which, for want of proper repair, or by reason of age and dilap-  
 10 idated condition, or for any cause, is especially liable to fire, and which is so situ-  
 11 ated as to endanger other buildings or property, and whenever any such officers  
 12 shall find in any building, or upon any premises combustible or explosive mate-  
 13 rial, or inflammable conditions, dangerous to the safety of said buildings or prem-  
 14 ises, they shall order the same to be removed or remedied, and such order shall  
 15 be forthwith complied with by the owner or occupant of said buildings or prem-  
 16 ises: *Provided, however,* That if the said occupant or owner shall deem himself ag-  
 17 grieved by such order, he may, within forty-eight hours, appeal to the State Fire  
 18 Marshal and the cause of complaint shall be at once investigated by the direction



19 of the latter, and unless by his authority the order is revoked, such order shall re-  
20 main in force and be forthwith complied with by said owner or occupant. Any  
21 owner or occupant of buildings or premises failing to comply with the orders of  
22 the authorities above specified shall be punished by a fine of not less than ten  
23 dollars nor more than fifty dollars (\$50.00) for each day's neglect; such penalty to  
24 be sued for in the name of the People of the State of Illinois, upon the complaint  
25 of the Fire Marshal, Assistant Fire Marshal, of the State's attorney, or of any  
26 officer named herein, in the county in which such building or buildings shall be sit-  
27 uated, before any justice of the peace or in any court of record, and such penalty,  
28 when recovered, shall be paid into the county treasury of the county wherein  
29 such recovery is had.

Sec. 9. Any officer referred to in section five herein who neglects to comply  
2 with any of the requirements of this Act, shall be punished by a fine of not less  
3 than twenty-five dollars nor more than two hundred dollars, to be recovered as  
4 provided in section eight of this Act.

Sec. 10. The State Fire Marshal shall receive an annual salary of \$3,000, the  
2 Assistant Fire Marshal, \$1,800; First and Second Deputy Fire Marshals, \$1,500  
3 each. Said Fire Marshal shall employ additional deputies, clerks and assistants  
4 and incur such other expense as may be necessary in the performance of the duties  
5 of the office, not to exceed, including salaries, such sum as may be paid to the In-  
6 surance Superintendent in the manner hereinafter provided. For the purpose of  
7 maintaining the department of State Fire Marshal, and paying the expenses inci-  
8 dent thereto, every fire insurance company doing business in the State of Illinois  
9 shall pay to the Superintendent of Insurance of the State in the month of Janu-  
10 ary, annually, in addition to the taxes now required by law to be paid by such

11 companies, one-fourth of one per cent of the gross premium receipts of such  
12 companies on all business done in Illinois the year preceding, as shown by their  
13 annual statements, under oath, to the insurance department. The Superintendent  
14 of Insurance shall cover the money so received into the treasury as a special fund  
15 for the maintenance of said office of State Fire Marshal and the expenses incident  
16 thereto. Such portion of said special fund remaining unexpended at the end of  
17 any fiscal year, as the State Fire Marshal shall certify is not needed for the main-  
18 tenance and expenses of his department, shall be transferred to the general reve-  
19 nue fund of the State. The State Fire Marshal shall keep on file in his office an  
20 itemized statement of all expenses incurred by his department, and shall ap-  
21 prove all vouchers issued therefor before the same are submitted to the Auditor  
22 of State for payment, which said vouchers shall be allowed and paid in the same  
23 manner as other claims against the State.

Sec. 11. The State Fire Marshal shall not engage in any other business, and  
2 he or one of his deputies shall at all times be in the office of the Fire Marshal  
3 ready for such duties as are required by this Act.

Sec. 12. The Fire Marshal shall submit annually, as early as consistent with  
2 full and accurate preparation, and not later than the 15th day of January, a de-  
3 tailed report of his official action to the Governor. He shall also file a copy of  
4 such report with the Insurance Superintendent of this State, and there shall be  
5 included in the annual report of such Insurance Superintendent such portion of  
6 the annual report of the Fire Marshal as may be deemed desirable by the Insur-  
7 ance Superintendent.

Sec. 13. There shall be paid to the chiefs of fire departments, and to mayors  
2 of incorporated villages, who do not receive compensation for their services as

3 such chiefs and mayors, and to the township clerk of every organized township,  
4 who are by this Act required to report fires to the State Fire Marshal, the sum of  
5 fifty cents for each fire so reported to the satisfaction of the State Fire Marshal,  
6 and in addition thereto mileage at the rate of fifteen cents per mile for each mile  
7 traveled to the place of fire. Said allowance shall be paid by said State Fire Mar-  
8 shal at the close of each fiscal year out of any funds appropriated for the use of  
9 the office of said State Fire Marshal.

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- 1 Introduced by Mr. Gillespie, January 31, 1907.
  - 2 Read by title, ordered printed and referred to Committee on Corporations.

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## A BILL

For an Act to provide for interchangeable telephone service and toll therefor; and to provide punishment for violations of the provisions hereof.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That all telephone companies now or hereafter doing business in this State, shall provide interchangeable service with every other telephone company doing business in the same territory, and shall perform service for any person desiring to communicate with any subscriber of such company upon payment as hereinafter mentioned for such service, and a failure or refusal to comply herewith, shall be cause for forfeiture and revocation of any charter held by such company.

Sec. 2. The duty of each telephone company above mentioned shall be equally binding upon all companies to which this Act applies, and shall be performed with reasonable despatch, and any person interested may institute proceedings in any

4 county where a violation of this Act occurs to enforce the same by any suit or  
5 proceeding heretofore proper for such purpose.

Sec. 3. The toll charged against any non-subscriber of such telephone company  
2 shall be reasonable, and all cities and villages in this State shall have power to fix  
3 the reasonable toll so to be charged by an ordinance duly passed for such purpose,  
4 and payment or tender of such toll at any public telephone station or general  
5 office of such company or other place provided by such company for public ser-  
6 vice, shall entitle such non-subscriber to the service aforesaid.



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- 1 Introduced by Mr. Hill, January 31, 1907.
  - 2 Read by title, ordered printed and referred to Committee on Revenue.

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## A BILL

For an act to amend section 62 of an act entitled "An Act to revise the law in relation to counties," approved and in force March 31, 1874, and all acts amendatory thereto:

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: That section 62 of an act entitled "An Act to revise the law in relation to counties," approved and in force March 31, 1874, and all acts amendatory thereto, be, and the same is hereby amended so as to read as follows:*

Sec. 62. All laws applicable to the County Clerks of other counties under township organization, shall be applicable *to the county clerk of Cook county, and there is hereby created the office of Comptroller of Cook County, which said Comptroller shall be a certified accountant who shall be appointed by the President of the Board of Commissioners of Cook County, with the advice and consent of said board, and his compensation and official bond shall be fixed by*

7 said board, and there shall be formulated, installed and regulated, by and under  
 8 the direction and authority of said County Board, a uniform system of books of  
 9 account, forms, reports and records to be used in the offices of every county  
 10 officer of Cook county, who shall be paid in whole or in part by fees, which said  
 11 system of books of account, forms, reports and records so formulated under the  
 12 direction of said Board, and installed and regulated, shall be used by the said  
 13 officers hereinbefore designated for the purpose of keeping an accurate state-  
 14 ment of moneys received by them, and all financial transactions of their respec-  
 15 tive offices. And said Comptroller shall audit, or cause to be audited, from day  
 16 to day, the receipts of the said several officers named herein, and the reports of  
 17 the said officers of the business transactions of their said respective offices, and  
 18 certify to their correctness or incorrectness to the County Board. Said Comp-  
 19 troller shall report monthly to the said County Board, a summarized and classified  
 20 statement with the official transaction of each of the said officers above named  
 21 for each day of said month, for each of said offices; and the Comptroller shall  
 22 further make a semi annual report to said County Board, containing a recapitu-  
 23 lation of the receipts of the said several offices for the preceding six months, such re-  
 24 port to include the period covered by the semi-annual report of the several officers  
 25 named herein to the said County Board, as now provided for and required by law.

26 That for the purpose aforesaid, the said County Board, or anyone authorized  
 27 by it, are hereby vested with power and authority to enter the said offices of the said  
 28 several officers named herein, at all times, and to take charge of all the books,  
 29 papers, forms, reports, accounts and memoranda used by the said officers named  
 30 herein for the transaction of the business of their respective offices, for the pur-  
 31 pose of auditing, checking, copying same and compiling the reports provided  
 32 herein to be made to the County Board.

33 *Said Comptroller, under the direction of the said County Board, may prescribe*  
34 *new forms, reports, accounts and records to be used by said officers named herein*  
35 *in the transaction of the said business of their said several respective offices,*  
36 *or change, alter or amend the same from time to time.*

37 *Said Comptroller shall, subject to the direction of the said County Board, have*  
38 *charge of all deeds, mortgages, contracts, judgments, notes, bonds, debts and cho-*  
39 *ses in action belonging to the said county, except such as are directed by law to*  
40 *be deposited elsewhere and shall carefully preserve the same. He shall, subject to*  
41 *the approval of the Board of Commissioners, revise, audit and settle all accounts*  
42 *in which the county is concerned, either as debtor or creditor, or where provision*  
43 *for the settlement thereof is not otherwise provided for by law, and the*  
44 *settlement of which is not especially committed to some other authority:*  
45 *Provided, That no payment of any account so settled or adjusted, shall be made*  
46 *except by order of the County Board after approval by the Finance Committee.*  
47 *The said Comptroller shall have power, in making such settlements and adjust-*  
48 *ments, and for the purpose of ascertaining the true state of any balance or bal-*  
49 *ances so due, to require any claimant or claimants to deposit and file with him as*  
50 *such Comptroller, a statement in writing, under oath, as to any fact, matter or*  
51 *thing concerning the correctness of any account, claim or demand presented.*  
52 *He shall open and keep in a clear and methodical manner, a complete set of*  
53 *books under the direction of the President of the Board and Finance Commit-*  
54 *tee thereof, wherein shall be stated, among other things, a correct and true*  
55 *statement of the receipts and disbursements for and on account of the offices of*  
56 *every county officer who shall be paid in whole or in part by fees, the appropri-*  
57 *ations for the fiscal year for each of said offices and each distinct object and*  
58 *branch of the expenditure, and also the estimated receipts from each and every*

59 source of revenue, so far as he can ascertain the same. Said books and all  
 60 papers, vouchers, contracts, bonds, receipts and other things kept in said office  
 61 of said *Comptroller*, shall be subject to the examination of the President of the  
 62 Board of *Commissioners* and the Finance Committee. *The Comptroller shall*, at  
 63 the close of each fiscal year, place to the credit of a general fund all unexpended  
 64 appropriations for such year, but which shall not include the amount required  
 65 to liquidate contracts or liabilities entered into by virtue or authority of such  
 66 appropriations, and which remain unpaid at the close of the fiscal year: *Provided, however*, That no such disposition shall be made of any trust fund or funds  
 67 that by law are specified and under the direct control of officers specially appointed for their disbursements. He shall make out an annual statement for publication on or before the first day of February in each year, giving a full and detailed statement of all the receipts and expenditures during the fiscal year. Such statements shall also detail all the liabilities and resources of said county, the conditions of all unexpended appropriations and contracts unfulfilled, and the balance of money then remaining in the treasury, with all sums due and outstanding and the amounts unaccounted for, and all other things necessary to exhibit the true financial condition of the county, and each branch thereof, which statement when examined and approved by the Finance Committee shall be published by him as aforesaid. He shall, also, on or before the first Monday in February, in each year, before the annual appropriations are made by the County Board, submit to the Board a report of the estimates necessary, as near as may be, to defray the expenses of the county government during the current fiscal year; he shall, in said report, classify the different objects and branches of said county expenditure, and the receipts thereof, giving as nearly as possible the amount required for each class, and for this purpose, it shall be



85 the duty of all county officers and heads of departments, to make and furnish the  
 86 Comptroller, on his request, statements of the *receipts*, expenditures and the gen-  
 87 eral condition of their respective offices or departments, with any desired alter-  
 88 ations and improvements, and the probable expense thereof. It shall be the duty  
 89 of any committee of the Board, charged with the expenditure of money for build-  
 90 ings or improvements, to make and furnish him with a similar statement, and of  
 91 all contracts already made and unfinished, and the amount of any expended ap-  
 92 propriations of the preceding year. The Comptroller shall, in such report, also  
 93 show the aggregate income of the preceding fiscal year from all sources, the  
 94 amount of all liabilities outstanding upon which interest is to be paid, and of  
 95 bonds and county debts payable during the fiscal year, and when and where pay-  
 96 able. He shall also make and publish monthly statements *in addition to the*  
 97 *statements herein provided for*, giving full and detailed accounts of all moneys  
 98 received and expended for the public service of the county. He shall sign all war-  
 99 rants drawn upon the treasury, which shall be countersigned by the President  
 100 of the Board, and the same shall state therein the particular fund or appropri-  
 101 ation to which the same is chargeable. No money shall be paid out of the County  
 102 Treasury except upon such warrants so drawn, nor shall any warrant be issued  
 103 except against an appropriation theretofore made by the County Board in accor-  
 104 dance with *the provisions of law*. The President of the Board of Commission-  
 105 ers, *the Comptroller*, the Treasurer and the Finance Committee, shall meet in  
 106 the month of December to compare and revise all statements made by the Comp-  
 107 troller, Treasurer, and the other accounting officers and committees, and the  
 108 Comptroller shall embody the result of such action in his report to the Board of  
 109 Commissioners. *The Comptroller shall perform such other and further duties*  
 110 *as may be required of him from time to time by the President of the Board of*  
 111 *Commissioners.*



112        The fiscal year of said County of Cook shall commence on the first Monday  
113 of December and end on the Sunday preceding the first Monday of December of  
114 each year, so long as the law required the Board of Commissioners to be elect-  
115 ed in the month of November: *Provided, however,* That if *at any time hereafter,*  
116 there be a law in force, requiring or authorizing said Commissioners to be elect-  
117 ed in the month of April instead of November; then, and in that case, the fiscal  
118 year of said county shall begin on the first day of June in each year, and end  
119 on the 31st day of May, next thereafter, and also, in that event, the regular  
120 meetings of said Board of Commissioners, shall be held on the first Mondays of  
121 May, June, July, August, September and February, instead of the months *now*  
122 *provided for by law,* and correspondingly, changes shall be made in the other  
123 dates or months specified as well as the provisions of this section providing this  
124 proviso, thus: January shall be changed to June, February to July, and Decem-  
125 ber to May, and, all acts or things so required to be done or performed, or begin  
126 or terminate, in said months of January, February and December, respectively,  
127 shall be done and performed, or begin or terminate, in the months of June, July  
128 and May, respectively.

- 1 Introduced by Mr. Hill, January 31, 1907.
- 2 Read by title, ordered printed and referred to Committee on Revenue.

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## A BILL

For an act to amend Sections 51 and 52 of an act entitled, "An Act concerning fees and salaries and to classify the several counties of this State with reference thereto," approved March 28, 1872, in force July 1, 1872; title as amended by act approved March 28, 1874, in force July 1, 1874, and all acts amendatory thereto.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That Sections 51 and 52 of an act en-  
3 titled, "An Act concerning fees and salaries and to classify the several coun-  
4 ties of this State with reference thereto," approved March 28, 1872, in force  
5 July 1, 1872; title as amended by an act approved March 28, 1874, in force July  
6 1, 1874, and all acts amendatory thereto, be and the same is hereby amended  
7 so as to read as follows:

*Section 51.* Every county officer of counties of the first and second classes,  
2 who shall be paid in whole or in part by fees, shall, in a book to be kept for

3 that purpose, commencing on the first day of July, in the Year of Our Lord  
 4 *One Thousand Nine Hundred and Seven*, keep a full, true and minute account  
 5 of all the fees and emoluments of his office, designating in corresponding col-  
 6 umns, the amount of all fees and emoluments earned, and all payments receiv-  
 7 ed on account thereof, and showing the name of each person or persons paying  
 8 fees, and the amount received from each person, and shall also keep an account  
 9 of all expenditures made by him on account of clerk hire, stationery, fuel, and  
 10 other expenses, for keeping which book no fees shall be allowed to such officer.

11 Every such officer *of counties of the first and second classes*, who shall be  
 12 paid in whole or in part by fees, shall, on the first day of December, in the Year  
 13 of Our Lord *One Thousand Nine Hundred and Seven (1907)*, and on the first day  
 14 of June and December of each year following, *make to the Chairman of the*  
 15 *County Boards*, a return in writing of all the fees and emoluments of his office  
 16 of every name and character, which said report shall show the gross amount of the  
 17 earnings of said office, the total amount of receipts of whatever name and char-  
 18 acter, and all necessary expenses for clerk hire, stationery, fuel and other ex-  
 19 penses for the half year ending at the time of such report, or the portion there-  
 20 of during which he shall be entitled to receive the fees herein provided for, to-  
 21 gether with the amount of his salary, which shall include any unpaid balance  
 22 of his salary that may have remained due and uncollected at the time of mak-  
 23 ing any previous return to the time of making any report. Such reports shall  
 24 designate the service for which said amounts have been charged, or received,  
 25 ed, in such manner that the same may be identified with the account thereon  
 26 upon the books of such officer, and shall show fully the amount earned and the  
 27 amount received.

28 Said County Boards, *in counties of the first and second class*, shall carefully audit  
29 and examine every such report, and ascertain the exact balance of such fees, if  
30 any, held by any such officer, after such expenses as the said Board may approve  
31 and allow, and such salary and unpaid balance of salary from previous return  
32 shall have been deducted from the gross amount shown by such reports to have  
33 been paid unto or collected by such officer, and shall order that such officer shall  
34 pay over such balance to the County Treasurer, whose receipt therefor shall be evi-  
35 dence of the settlement, by such officer of such report. But, if there shall appear to  
36 be a balance of salary due to such officer at the time of making such report, and  
37 such officer shall have previously paid into the County Treasury any fees col-  
38 lected by him, the Board shall make an order on the County Treasurer in favor  
39 of such officer for the balance so found due to him: *Provided*, The amount of  
40 such order shall not exceed the amount of fees previously paid into the Treas-  
41 ury by such officer.

Every such report shall be signed and verified by the affidavit of the officer making the same, which affidavit shall be substantially of the following form :

"State of Illinois,  
County of ..... } ss.

I, ....., do solemnly swear that the foregoing account is, in all respects, just and true, according to my best knowledge and belief; and that I have neither received, directly or indirectly, nor directly or indirectly agreed to receive or be paid, for my own or another's benefit, any other moneys, article or consideration than therein stated; nor



53 am I entitled to any fee or emolument for the  
 54 period therein mentioned other than those herein  
 55 specified.

56 .....

57 Signed and sworn to before me  
 58 this ..... day of .....  
 59 A. D. 190....

60 ..... ”

61 Sec. 52. That in counties of the third class, there shall be formulated, in-  
 62 stalled and regulated in offices of every county officer, who shall be paid in whole  
 63 or in part by fees (hereinafter referred to as “County Officers”) by and under  
 64 the direction of the County Board of said Counties of the Third Class, a  
 65 uniform system of books of account, forms, reports and records, which said  
 66 system of books of account, forms, reports and records, and no other, shall be  
 67 used by such County Officers of the said Counties of the Third Class herein  
 68 named, in compiling the reports hereinafter provided for to be made by them  
 69 and in keeping a true and accurate account of fees received, fees earned, and  
 70 all other transactions of the business of their respective offices.

71 That said system of books of accounts, forms, reports, and records may be  
 72 altered, changed or amended from time to time by said County Boards of  
 73 the said Counties of the Third Class, or under their authority, and, when so  
 74 altered, changed or amended shall be used by said County Officers of Coun-  
 75 ties of the Third Class in lieu of the books of account, forms, reports and  
 76 records then in use.



77        *That said County Boards in Counties of the Third Class are hereby au-*  
78 *thorized and empowered to audit said books of account, forms, reports and*  
79 *records, containing the said record of the fees received, fees earned and all*  
80 *other transactions of the said County Officers at any time and for the*  
81 *purpose of so doing, the said County Board in Counties of the Third Class,*  
82 *or anyone by said Boards authorized to do so, are hereby vested with*  
83 *power and authority to enter the said offices of said County Officers of*  
84 *the Counties of the Third Class at all times, and have free and unrestrict-*  
85 *ed access to all of the books, papers, forms, records and reports, used by*  
86 *the said County Officers named herein, in recording the receipt of fees re-*  
87 *ceived by them, fees earned by them and of all other business of their*  
88 *respective offices for the purpose of so auditing, checking, compiling or copy-*  
89 *ing the reports, provided hereinafter to be made to the County Boards of*  
90 *Counties of the Third Class.*

91        *And the said County Officers in the said Counties of the Third Class shall, on*  
92 *the first day of December, 1907, and on the first day of June and De-*  
93 *cember of each and every year thereafter, make and transmit a report in*  
94 *writing under oath to the County Board of said Counties of the Third*  
95 *Class upon such forms as may be prescribed by said Board for that pur-*  
96 *pose, and, if said Board in said Counties does not prescribe a form for*  
97 *such report, then, and in that event, the said County Officers named herein*  
98 *shall make a report under oath in the same manner as is provided for in*  
99 *Counties of the First and Second Class.*

100        *It is further provided that the said report so provided to be made and*  
101 *transmitted to the said County Board of Counties of the Third Class, by*  
102 *the provisions of this Act, shall forthwith be audited by said County Board*

103 or under its authority, and, if found correct, the same shall be forthwith ap-  
 104 proved, and also attested by someone authorized by it so to do, and, if after  
 105 the same is audited, same is found correct, the County Officer so making  
 106 said report shall be notified in writing, by said County Board, in said  
 107 Counties as aforesaid, that the same has been audited and found correct  
 108 and so attested and, if after auditing, said County Board is unable to approve  
 109 the same, the said County Officer so making the same shall be forthwith  
 110 notified in writing that the said report, giving the date thereof, by him filed,  
 111 is incorrect, and the said notification shall state wherein the same is incorrect,  
 112 and that the said County Board is unable to approve the same. If there be any  
 113 salary due and unpaid to any County Officer herein named, of counties of all  
 114 classes, at the time of making the last report at the close of his term of office,  
 115 and there be not a sufficient amount of fees collected by such officer remaining  
 116 in the County Treasury to pay such balance, it shall be paid to him out of  
 117 the fees earned by him during his term of office when afterwards collected by his  
 118 successor.

119       The County Officers named herein, in making their report, as provided for  
 120 herein, shall in no case, include in said report any charge previously re-  
 121 ported, but shall make a separate report of all fees and emoluments which have  
 122 previously been returned not received, and which shall have been paid dur-  
 123 ing the half year previous to making any such report, designating them as in  
 124 other cases, and indicating in what half year the same were earned: *Provided,*  
 125 *That nothing in this provision shall be construed as depriving the County Boards*  
 126 *of Counties of the Third Class of the authority to prescribe forms to the said*  
 127 *County Officers in Counties of the Third Class, to be used by them in reporting*  
 128 *said fees.*

129 The County Boards *in counties of all classes* shall have full authority, in  
 130 their respective meetings, to inspect, examine, and audit the records, fee-  
 131 books, *books, papers, forms, memoranda and reports of any County Officer who*  
 132 *is paid in whole or in part by fees, in which fees are charged, or recorded,*  
 133 *and in which is kept any minutes or records of the business of their respec-*  
 134 *tive offices for the purpose of checking, auditing and correcting the accounts*  
 135 *rendered by the said County Officers.*

136 All fees, perquisites and emoluments received by said County Officers *in*  
 137 *Counties of the First and Second Classes* (above the amount of their compen-  
 138 sation fixed by the County Boards and for clerk hire and other necessary ex-  
 139 penses) shall be paid into the County Treasury, and every County Officer in  
 140 *Counties of the Third Class, who is paid in whole or in part, by fees, shall pay*  
 141 *into the County Treasury at the end of each current month, all fees received*  
 142 *by him during the said month which, under the Constitution of this State he*  
 143 *is required to pay into the County Treasury; but, if there appear to be a*  
 144 *balance of salary due to such County Officer, at the time of making such pay-*  
 145 *ment, and the said officer shall have previously paid into the County Treasury*  
 146 *any fees collected by him, said Board shall make an order on the Treasurer*  
 147 *in favor of such officer for the balance so found due him.*

148 The County Treasurer in all Counties, shall keep a book for the purpose  
 149 of entering all fees received by him in which shall be entered and set forth par-  
 150 ticularly the amount of said fees received, from whom and when received, which  
 151 book shall be subject to the inspection of the County Boards.

152 Any officer *who is paid in whole or in part by fees, failing or refusing to per-*  
 153 *mit County Boards or anyone authorized by said boards, to have free and unre-*

154 *stricted access to his books, papers, records and memoranda, as provided for here-*  
 155 *in, or failing or refusing to make the payments to the county treasurer, as herein*  
 156 *provided, or failing or refusing to produce his books for inspection or failing or*  
 157 *refusing to make the semi-annual report as herein provided, shall forfeit and pay*  
 158 *the sum of one hundred dollars (\$100) for each failure or refusal, to be*  
 159 *recovered by a common informer in any court of competent jurisdiction, one-half*  
 160 *to be paid to such informer and the balance into the county treasury. And any of-*  
 161 *ficer named herein who shall fail to enter fees in a book, as required by the Act,*  
 162 *or to use the books, forms, reports and records as provided herein to be used by*  
 163 *them in counties of the third class, or who shall make a false entry of the same, or*  
 164 *who shall falsify his semi annual report, shall be deemed guilty of malfeasance in*  
 165 *office, and upon conviction in any court of competent jurisdiction shall be fined in*  
 166 *any sum not less than fifty dollars, nor more than two hundred and fifty dollars*  
 167 *for each offense, one half of such fine to go to the complainant and one half to the*  
 168 *county treasurer.*

169 *All acts or portions of acts in conflict with this, be and the same are hereby re-*  
 170 *pealed.*



AMENDMENT TO

**45th Assem.**

**HOUSE—No. 154**

**Mar. 1907**

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Amendment to House Bill No. 154, adopted by the House March 6, 1907.

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Amend House Bill No. 154, by striking out the words “the county treasurer” from lines 167 and 168 of section 51, of the printed bill, and inserting in lieu thereof the words, “be paid into the county treasury.”





1 Introduced by Mr. Hurst, January 31, 1907.

2 Read by title, ordered printed and referred to Committee on Revenue.

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## A BILL

For an act to reduce the amount of assessment for taxation of real estate indebtedness not to exceed \$700.00, provided that no reduction shall be allowed greater than one-half of such assessed valuation of said real estate.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in*  
2 *the General Assembly:* That any person being the owner of real estate liable for  
3 taxation within the State of Illinois, and being indebted in any sum, secured by  
4 mortgage upon real estate, may have the amount of such mortgage indebtedness,  
5 not exceeding Seven Hundred Dollars, existing and unpaid upon the first day of  
6 March of any year, deducted from the assessed valuation of mortgage premises for  
7 that year, and the amount of such valuation remaining after such deduction shall  
8 have been made, shall form the basis for assessment and taxation for said real  
9 estate for said year: *Provided,* That no deduction shall be allowed greater than  
10 one-half of such assessed valuation of said real estate.

Sec. 2. But no reduction from the assessed valuation of mortgaged premises  
2 shall be made unless said demand is accompanied with a certificate from the circuit  
3 clerk or recorder of the county where said mortgage is recorded, stating amount  
4 of said mortgage and when due, to the proper authorities for making such change  
5 or reduction.

- 
- 1 Introduced by Mr. Hurst, January 31, 1907.
  - 2 Read by title, ordered printed and referred to Committee on Revenue.

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## A BILL

For an act entitled "An Act to amend section 2, as amended by act of May 18, 1905, of an act entitled 'An Act for the assessment of property and for the levy and collection of taxes,' approved March 30, 1872, and in force July 1, 1872."

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That section two, as amended by act of  
3 May 18, 1905, of an act entitled "An Act for the assessment of property and  
4 for the levy and collection of taxes," approved March 30, 1872, and in force  
5 July 1, 1872, be and the same is hereby amended so as to read as follows:

Sec. 2. All property described in this section, to the extent herein limited,  
2 shall be exempt from taxation, that is to say:

3 First. All lands donated by the United States for school purposes, not sold  
4 or leased; all public school houses; all property of institutions of learning in-

cluding the real estate on which the institutions are located, not leased by such institutions or otherwise used with a view to profit.

Second. All church property actually and exclusively used for public worship and all parsonages or residences actually and exclusively used by persons devoting their entire time to church work, when the said buildings and the land on which said buildings are located (said land to be of reasonable size for the location of said buildings) are owned by the congregation or church authorities and not used for pecuniary profit.

Third. All lands used exclusively as grave yards or grounds for burying the dead.

Fourth. All unentered government lands; all public buildings or structures of whatsoever kind, and the contents thereof, and the land on which the same are located, belonging to the United States.

Fifth. All property of every kind belonging to the State of Illinois.

Sixth. All property belonging to any county, town, village or city, used exclusively for the maintenance of the poor; all swamp or overflowed lands belonging to any county, so long as the same remain unsold by such county; all public buildings belonging to any county, township, city or incorporated town, with the ground on which such buildings are erected not exceeding in any case ten acres.

Seventh. All property of institutions of public charity, when actually and exclusively used for such charitable purposes, not leased or otherwise used with a view to profit; and all free public libraries.



28 Eighth. All fire engines or other implements used for the extinguishment  
29 of fires, with the buildings used exclusively for the safe keeping thereof, and the  
30 lot of reasonable size on which the building is located, when belonging to any city,  
31 village or town.

32 Ninth. All market houses, public squares or other public grounds used ex-  
33 clusively for public purposes; all works, machinery and fixtures belonging ex-  
34 clusively to any town, village or city, and used for conveying water to such  
35 town, village or city.

36 Tenth. All property which may be used exclusively by societies for agri-  
37 cultural, horticultural, mechanical and philosophical purposes, and not for pe-  
38 cuniary profit.

39 Eleventh. All the money collected and on hand within this State of every  
40 kind and nature of fraternal beneficiary societies and the subordinate lodges  
41 thereof which are organized and exist or admitted to do business under the laws  
42 of the State of Illinois, and used exclusively for the purposes of such societies,  
43 and not for pecuniary profit.

44 *Twelfth. Household goods and other personal property of a person who is*  
45 *the head of a family, not exceeding two hundred dollars in value.*



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- 1 Introduced by Mr. Hurst, January 31, 1907.
  - 2 Read by title, ordered printed and referred to Committee on Revenue.

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## A BILL

For an act entitled, "An Act to list real estate mortgages, conveyances or other instruments or writings constituting a lien or other security for any note or other evidence of indebtedness, for taxation."

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That all real estate mortgages, convey-  
3 ances and other instruments or writings constituting a lien or other security for  
4 any note, or other evidence of indebtedness, shall be filed with the Clerk of the  
5 County Court of the county where the real estate, described therein, is located,  
6 and entered on the records of said office for the purpose of taxation.

Sec. 2. Said entry shall distinctly show the dates of execution and maturity  
2 of such instruments; the consideration thereof; the date of filing or recording  
3 the same; the amount thereof, and the county and State of the owner, payee,  
4 beneficial holder or other person or corporation liable for taxes thereon.

Sec. 3. No mortgage, conveyance, or other instrument of writing constitut-  
 2 ing a lien or other security for any note or other evidence of indebtedness, shall  
 3 be received for record by the Circuit Clerk or Recorder of any county, unless  
 4 said mortgage, conveyance or other instrument or writing shall have the follow-  
 5 ing indorsement, "Duly entered for taxation," signature of the County Clerk,  
 6 and the date of filing and listing for taxation of the same.

Sec. 4. If any Clerk or Recorder shall record any mortgage conveyance or  
 2 other instrument or writing constituting a lien or other security as provided for  
 3 in the preceding section, without such endorsement thereon, he shall forfeit and  
 4 pay the sum of five dollars for each instrument so recorded as provided in said  
 5 preceding section, to be recovered by an action of debt in the name of the Peo-  
 6 ple of the State of Illinois upon complaint of any person before any court of  
 7 competent jurisdiction and when collected to be paid unto the County Superin-  
 8 tendent of Schools.

Sec. 5. Should there be an assignment of such mortgage or other evi-  
 2 dence of indebtedness of record in the County Clerk's office, the assignment  
 3 shall state the county and State, or residence and post office address of the as-  
 4 signee; unless any assignment is made of record, the original holder or owner  
 5 shall be liable for taxes as though no assignment has been made.

Sec. 6. Any person who shall knowingly and intentionally give a false or  
 2 fictitious address or name in any such instrument or assignment as above  
 3 mentioned, shall be guilty of a misdemeanor and shall upon conviction be fined  
 4 not less than ten dollars, nor more than one thousand dollars.

Sec. 7. Each County Clerk shall, on or before the first day in April in each  
 2 and every year, make and certify to the various Township Assessors, com-

3 plete statements of all mortgages, conveyance, or other instruments or writings  
4 constituting a lien or other security for any note or other evidence of in-  
5 debtedness as shown by the records of his office. Providing there is no assign-  
6 ment of record of any of the aforesaid instruments as provided for in Section  
7 5, should there be assignment of record, the assignment shall be reported in-  
8 stead of the original.

Sec. 8. Each statement made by the County Clerk, as herein required,  
2 shall cover a period of one year next prior to the date such statement is re-  
3 quired to be made. Said statement shall be sworn to by the Clerk before some  
4 person authorized to administer oaths, as a full and complete statement of said  
5 facts; said statement shall be returned by various Assessors, with their As-  
6 sessor's books and schedules to the County Clerks of their respective coun-  
7 ties for the use of the Supervisor of Assessments.

Sec. 9. The Township Assessor upon receiving from the County Clerk  
2 the statement of all mortgages, conveyances or other instruments or writing  
3 constituting a lien, as provided for in the aforesaid sections, or, the assignment  
4 of such shall fix the value upon each and all of said instruments, estimated  
5 at a price each would bring at a fair voluntary sale, and enter the same in his  
6 book against the owner or beneficial holder thereof, as hereinbefore provided  
7 for.

Sec. 10. Any County Clerk or Assessor failing, neglecting or refusing to  
2 perform any of the duties enjoined upon him by this Act under this section shall  
3 be liable to a fine of not less than fifty dollars nor more than one hundred dol-  
4 lars, to be recovered in an action of debt in the name of the People of the  
5 State of Illinois in any court of competent jurisdiction.



Sec. 11. Should the mortgagee, payee, assignee, beneficial holder or other  
2 person or corporation liable for the taxes as provided for in the sections of  
3 this Act, be a non-resident of the State and refuse to pay all taxes levied  
4 against such indebtedness as hereinbefore provided for, on or before the first  
5 day of March of each year, then the person or persons owing such indebted-  
6 ness or assuming the same, may pay such taxes and recover of the holder of such  
7 indebtedness, as penalty for such failure to pay the same, ten times the amount  
8 of taxes so paid with costs and reasonable attorney fees in enforcing same.

Sec. 12. All mortgages, conveyances or other instruments or writings con-  
2 stituting a lien or other security for any note or other evidence of indebtedness,  
3 due or not due March 1, 1908, shall be listed for taxation, the same as all instru-  
4 ments drawn up and dated after this Act goes into effect.

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- 1 Introduced by Mr. Jewell, January 31, 1907. .  
2 Read by title, ordered printed and referred to Committee on Railroads.
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## A BILL

For an act to provide for a minimum rate of speed for the transportation of live stock on railroads operating or doing business in this State, and to provide penalties for violations thereof.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That any railroad company operating or  
3 doing business in this State, receiving live stock in carload lots at any point in  
4 this State for shipment to any point in this State, shall forward the same at an  
5 average rate of speed not less than eighteen miles per hour, including all stops  
6 and layovers, barring unavoidable accidents or delays.

Sec. 2. If any such company shall violate any of the provisions of this Act,  
2 such company shall be liable to the owner of such live stock in double the  
3 amount of all damages occasioned thereby, to be recovered in an action of debt.



- 1 Introduced by Mr. Levere, January 31, 1907.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

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## A BILL

For an act to provide for the issuing of warrants to search for and seize liquors unlawfully kept for sale, and conferring powers for disposition of same.

---

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That if two persons of full age and com-  
3 petent to testify, make complaint under oath or affirmation before a justice of  
4 the peace, or any other court, that they have reason to believe and do believe  
5 that any spirituous or intoxicating liquor, described in the complaint, is kept  
6 or deposited by a person named therein in a store, shop, warehouse, building,  
7 vehicle, steamboat, vessel, or place, and is intended for sale contrary to law, or  
8 has been brought into a town or city in violation of the provisions of the ordi-  
9 nances thereof, such Justice of the Peace or Court, upon its appearing that there  
0 is probable cause to believe said complaint to be true, shall issue a warrant of  
1 search to any sheriff, deputy sheriff, city marshal, chief of police, deputy chief of

12 police, deputy marshal, police officer or constable, commanding him to search  
 13 the premises in which it is alleged such liquor is deposited, and to seize such  
 14 liquor, with the vessels in which it is contained, and securely keep the same un-  
 15 til final action is had thereon, and return the warrant with his doings thereon,  
 16 as soon as may be, to the same or other justice of the peace or court having  
 17 jurisdiction in the place where such liquor is alleged to be kept or deposited.

Sec. 2. No warrant shall issue for the search of a dwelling-house, if no tav-  
 2 ern, store, grocery, eating-house, or place of common resort is kept therein, unless  
 3 one of the complainants makes oath or affirmation that he has reason to be-  
 4 lieve and does believe that such liquor has been sold therein or taken therefrom  
 5 for the purpose of being sold by the occupant or by his consent or permission,  
 6 contrary to law, within one month next before making such complaint, and is  
 7 then kept therein for sale contrary to law by the person complained against.  
 8 Such complainant shall in his oath or affirmation state the facts and circum-  
 9 stances on which such belief is founded and such allegations shall be recited in  
 10 the complaint and warrant.

Sec. 3. In all cases the complaint shall particularly designate so as to ident-  
 2 ify the building, structure, and place to be searched, the liquor to be seized, the  
 3 person by whom it is owned, kept, or possessed, and intended for sale, and shall  
 4 allege the intent of such person to sell the same contrary to law. The warrant  
 5 shall be supported by the oath or affirmation of the complainants, and shall al-  
 6 lege that probable cause has been shown for the issuing thereof; and the place  
 7 to be searched, the liquor to be seized, and the person believed to be the owner,  
 8 possessor, or keeper of such liquor, intending to sell the same contrary to law,  
 9 shall be set out therein by special designation and with the same particularity as



10 in the complaint, and the offense both in the complaint and warrant shall be  
11 fully, plainly and substantially described, and the complainants shall be sum-  
12 moned to appear as witnesses.

Sec. 4. The officer to whom the warrant is committed shall proceed to search  
2 the premises and seize the liquor described in the warrant, with the casks or  
3 other vessels in which it is contained, if they are found in or upon said prem-  
4 ises, and shall convey the same to some place of security, where he shall keep the  
5 liquor and vessels until final action is had thereon.

Sec. 5. If, in the opinion of the justice of the peace or court before which  
2 the warrant is returned, the value of the liquor seized, with the vessels con-  
3 taining it, does not exceed fifty dollars, a written notice, under seal, and signed  
4 by the justice of the peace, or by the judge or clerk of said court, shall be is-  
5 sued within twenty-four hours after such seizure, commanding the person com-  
6 plained against as the keeper of the liquor seized, and all other persons claim-  
7 ing any interest therein, or in the casks or vessels containing the same, to ap-  
8 pear before said justice of the peace, or court, at a time and place therein  
9 named, to answer to said complaint, and show cause, if any they have, why such  
10 liquor, with the vessels containing it, should not be forfeited.

Sec. 6. The notice shall contain a description of the number and kind of  
2 vessels, the quantity and kind of liquor seized, as nearly as may be, and shall  
3 state when and where they were seized. It shall be served by a sheriff, deputy-  
4 sheriff, constable, or police officer, upon the person charged with being the  
5 keeper thereof, by leaving an attested copy of the same with him personally  
6 or at his usual place of abode, if he is an inhabitant of this State, and by post-  
7 ing up an attested copy on the building in which the liquor was seized, if it was

8 found in a building, otherwise in some public place in the city or town where the  
9 liquor was seized. The posting up of the notice, and the serving of the same on  
10 the party complained of as keeper, shall not be less than four days before the  
11 time appointed for the trial.

Sec. 7. If, at the time appointed for the trial, said notice has not been duly  
2 served, or other sufficient cause appears, the trial may be postponed to some  
3 other day and place, and such further notice issued as shall supply any defect in  
4 in the previous notice; and time and opportunity for trial and defence shall be  
5 given to persons interested.

Sec. 8. At the time and place designated in the notice the person complain-  
2 ed against or any person claiming an interest in the liquor and vessels seized,  
3 or any part thereof, may appear and make his claim verbally or in writing, and  
4 a record of his appearance and claim shall be made, and he shall be admitted  
5 as a party on the trial. Whether a claim as aforesaid is made or not, the Jus-  
6 tice of the Peace or Court shall proceed to try, hear and determine the allega-  
7 tions of such complaint, and whether said liquor and vessels, or any part there-  
8 of, are forfeited. If it appears that the liquor, or any part thereof, was at  
9 the time of making the complaint owned or kept by the person alleged there-  
10 in, for the purpose of being sold in violation of law, the Justice of the Peace  
11 or Court shall render judgment that such and so much of the liquor so seized as  
12 was so unlawfully kept, and the vessels in which it is contained, shall be forfeited  
13 to the State.

Sec. 9. Any liquor so forfeited shall, by the authority of the written order  
2 of the Justice of the Peace or Court, be delivered to the Chief of Police. Said  
3 officer shall sell the same, and pay over the net proceeds to the Treasurer of the  
4 State.

Sec. 10. If it is not proved on the trial that all or part of the liquor seized  
2 was kept or deposited for sale contrary to law, the Justice of the Peace or  
3 Court shall issue a written order to the officer having the same in custody to re-  
4 turn so much thereof as was not proved to be so kept or deposited, with the ves-  
5 sels in which it is contained, to the place as nearly as may be from which it was  
6 taken, or to deliver the same to the person entitled to receive it; which order  
7 the officer, after executing the same, shall return to the Justice of the Peace or  
8 Court with his doings thereon.

Sec. 11. If no person appears and is admitted as a party as aforesaid, or  
2 if judgment is rendered in favor of all the claimants who appear, the cost of the  
3 proceedings shall be paid as in other criminal cases. If only one party appear-  
4 ing fails to sustain his claim, he shall pay all the costs except the expense of  
5 seizing and keeping the liquor, and an execution shall be issued against him  
6 therefor. If judgment is rendered against two or more claimants of distinct in-  
7 terests in the liquor, the costs shall, according to the discretion of the Jus-  
8 tice of the Peace or Court, be apportioned among such parties, and executions  
9 shall be issued against them severally. If such execution is not forthwith paid,  
10 the defendant therein named shall be committed to the jail, and shall not be dis-  
11 charged therefrom until he has paid the same and the costs of commitment, or  
12 until he has been imprisoned thirty days.

Sec. 12. A person claiming any such liquor, whose claim is not allowed as  
2 aforesaid, and the person complained against, shall each have the same right of  
3 appeal, and to the same court, as if he had been convicted of a crime; but be-  
4 fore his appeal is allowed he shall recognize to the State in the sum of two hun-  
5 dred dollars, with good and sufficient surety or sureties, to prosecute his appeal



6 at the court appealed to, and to abide the sentence of the court thereon; and upon  
 7 such appeal any question of fact shall be tried by a jury. On the judgment of  
 8 the court after verdict whether of forfeiture of the whole or any part of the  
 9 liquor and vessels seized, or otherwise, similar proceedings shall be had as are  
 10 directed in the four preceding sections.

Sec. 13. If, in the opinion of the Justice of the Peace or Court before which  
 2 a warrant is returnable under which liquor has been seized, the value of the  
 3 liquor seized with the vessel containing it exceeds fifty dollars, a notice shall be  
 4 issued and served as directed in sections five and six, except that the same shall  
 5 be made returnable to the term of the Circuit Court to be held in the county  
 6 next after the expiration of fourteen days from the time of issuing the no-  
 7 tice. The court before which the notice is made returnable shall have jurisdic-  
 8 tion of the case, and may proceed therein in the manner directed in sections  
 9 seven to eleven inclusive, as nearly as may be, and with a jury, upon any issue  
 10 of facts presented by the claimant or directed by the court.

Sec. 14. A mayor, alderman, deputy sheriff, chief of police, deputy chief  
 2 of police, city marshal, deputy or assistant marshal, police officer or constable,  
 3 in his city or town, may without a warrant arrest any person whom he finds in the  
 4 act of illegally selling, transporting, distributing, or delivering intoxicating  
 5 liquor, and seize the liquor, vessels, and implements of sale in the posses-  
 6 sion of such person, and detain them in some place of safe keeping until war-  
 7 rants can be procured against such such person, and for the seizure of said  
 8 liquor, vessels, and implements, under the provisions of this Act. The several  
 9 officers aforesaid shall enforce or cause to be enforced the penalties provided by  
 10 law against every person guilty of a violation of any law in relation to the sale  
 11 of intoxicating liquor of which they can obtain reasonable proof. If a sheriff,

12 deputy sheriff, chief of police, deputy chief of police, constable, or police officer,  
 13 after being furnished with a written notice of a violation of the law in relation to  
 14 the sale of intoxicating liquor, and the names of the witnesses, for two weeks neg-  
 15 lects to institute proceedings thereon, any person who thereafter makes com-  
 16 plaint shall be entitled to all fines imposed and collected for said violation.

Sec. 15. All intoxicating liquors kept for sale, and the implements and ves-  
 2 sels actually used in selling and keeping the same contrary to law, are declared  
 3 to be common nuisances.

Sec. 16. In any city or town or any portion thereof, in which licenses are  
 2 not granted, all buildings or places therein used by clubs for the purpose of sell-  
 3 ing, distributing or dispensing intoxicating liquor to their members or others  
 4 shall be deemed common nuisances, and whoever keeps or maintains or assists in  
 5 keeping or maintaining, such a common nuisance, shall be punished by fine of not  
 6 less than fifty nor more than one hundred dollars, and by imprisonment in the  
 7 house of correction for not less than three nor more than six months.

Sec. 17. The following forms may be used in prosecutions under this chap-  
 2 ter, and if substantially followed shall be deemed sufficient fully and plainly, sub-  
 3 stantially and formally, to describe the several offenses in each of them set forth,  
 4 and to authorize the lawful doings of the officers acting by virtue of the warrants  
 5 issued in substantial conformity therewith; but this shall not be so construed as to  
 6 prohibit the use of other suitable forms.

7 Form of complaint to search for intoxicating liquors:

8 STATE OF ILLINOIS,                    }  
 9 COUNTY OF.....                    } ss.

10 To....., a justice of the peace within and for the county of  
 11 .....



12 J. S. and L. P., both of....., in said county of  
 13 ....., and both being of full age, and competent to  
 14 testify, in behalf of the State of Illinois, on oath complain that they  
 15 have reason to believe, and do believe, that intoxicating liquors, to-  
 16 wit: (here describe the liquors as a certain quantity of rum, being  
 17 about and not exceeding.....gallons; a certain quantity of  
 18 gin, being about and not exceeding.....gallons, etc., accord-  
 19 ing to the facts) on the.....day of....., in the  
 20 year eighteen hundred and....., were and still are  
 21 kept and deposited by D. E., of said.....in a cer-  
 22 tain....., situate (here describe the building or oth-  
 23 er place, with particulars of its location sufficient to identify it) in  
 24 said....., and occupied by said D. E., and which liq-  
 25 uors are intended by said D. E. for sale in this State, said D. E. not  
 26 being authorized to sell the same in this State, or keep the same  
 27 for sale, for any purpose, by any legal authority whatever, against the  
 28 peace of the State and the form of the statute in such case made and provided;  
 29 and said complainants pray for a warrant to search said ....., described  
 30 as aforesaid, for said liquors, and that the same may be declared to be forfeited,  
 31 and that said D. E. and all other persons claiming an interest in said liquors may  
 32 be summoned to appear before said justice of the peace or some other justice of the  
 33 peace or court having jurisdiction of the case, to show cause, if any they have,  
 34 why said liquors should not be declared forfeited. (If the place intended to be  
 35 searched is a dwelling-house, and no tavern, store, grocery, eating-house or  
 36 place of common resort is kept therein, the complaint shall conclude as follows:)

37 And I, J. S., one of the above complainants, on oath, say that I have reason

38 to believe, and do believe, that intoxicating liquor, such as is above mentioned,  
39 has been sold in the house above mentioned (or has been taken from the house  
40 above mentioned for the purpose of being sold) by the occupant of said house, or  
41 with the consent and permission of the occupant of said house, contrary to law,  
42 within one month next before this day, and that said liquor above mentioned is  
43 now kept in said house for sale by D. E., contrary to law; and my belief afore-  
44 said is founded on the following facts and circumstances:

45 (Here let such facts and circumstances be stated.)

46 J. S.

47 L. P.

48 Subscribed and sworn to at said....., before me, this.....day of  
49 ....., in the year eighteen hundred and....., and it appears to me  
50 that there is probable cause to believe the foregoing complaint to be true.

51 .....

Justice of the Peace.

52 Form of warrant to search for and seize liquors unlawfully kept for sale:

53 STATE OF ILLINOIS,        }  
54 COUNTY OF ..... } ss.

55 To the sheriff of our county of ....., or either  
56 (L. S.) of his deputies, or any constable of the town of .....  
57 in said county. Greeting:

58 WHEREAS, J. S. and L. P., both of said ....., and both of full  
 59 age, and competent to testify, on the..... day of ....., in  
 60 the year eighteen hundred and ....., at said ....., in be-  
 61 half of the State aforesaid, on oath complained to the undersigned, one of the  
 62 justices of the peace within and for said county of ....., that  
 63 they have reason to believe, and do believe, that on the ..... day of  
 64 ....., in the year eighteen hundred and ....., at said  
 65 ....., intoxicating liquors, to-wit:

66 (Here describe the liquors, as in the complaint) are kept and deposited by  
 67 D. E. of said ....., in a certain ....., situate (here  
 68 describe the building or other place in the complaint) in said .....,  
 69 and occupied by said D. E. as a ....., and that said liquors were, and are,  
 70 intended for sale by the said D. E. in this State, contrary to law; he, said D. E.,  
 71 not being then and there authorized to sell or keep such liquors for sale in this  
 72 State for any purpose, by any legal authority whatever, whereby said liquors  
 73 have become liable to be forfeited.

74 (In case the place to be searched is a dwelling house and no tavern, store,  
 75 grocery, eating-room, or place of common resort is kept therein, the warrant  
 76 should contain the following clause:)

77 (And J. S., one of the said complainants, has duly made oath that he has  
 78 reason to believe, and doth believe, that intoxicating liquors, such as are men-  
 79 tioned in the complaint, have been illegally sold in said house, within one  
 80 month last past, by the occupant thereof (or with the permission and consent of  
 81 the occupant thereof, or have been taken from said house for the purpose of  
 82 being sold), contrary to law, within one month last past, and that such liquors

are kept and deposited in said house, by said D. E., and intended for sale in this State, contrary to law; and has, in his said oath, stated the following facts and circumstances on which this said belief was founded:)

(Here let the facts and circumstances be repeated, as in the complaint.)

And said complainants have also prayed that due process may issue to search for said liquors, and that such further proceedings may be had in the premises as to the law and justice in that behalf may appertain; and whereas it appears to me, the subscriber, on the complaint aforesaid, that probable cause has been shown for the issuing of a warrant of search thereupon:

These, therefore, are to require you in the name of the people of the State, taking with you proper assistants, forthwith to enter the ..... herein above described, and make diligent and careful search for all the liquors herein above described, and if such liquors are found therein to seize and convey the same, and the vessels which contain such liquors, to some place of safety and safely keep the same to await the final action and decision of the court upon said complaint.

Herein fail not, and make due return of this warrant, with your doings thereon.

Witness my hand and seal at ....., this ..... day of ....., in the year eighteen hundred and .....

.....

Justice of the Peace.

(In a warrant for searching any other place besides a dwelling house, that



part in the foregoing form which relates to the means of knowledge of the complainant that a sale has been made in the building should be omitted.

Warrant to officer to serve under sections five and six:

STATE OF ILLINOIS,        }  
COUNTY OF ..... } ss.

To the sheriff of our county of ....., or either (L. S.) of his deputies, or any constable of the town of ....., in said county.

(If the seizure is made in a city, the warrant may be directed to the city marshal and other city officers authorized to serve it.)

You are hereby commanded to serve the annexed notice, by delivering an attested copy thereof into the hands of D. E. of ....., in the county of ....., or leaving an attested copy thereof at his usual place of abode, and also by posting up another attested copy thereof on .....

(Here describe the building in which the liquor was seized, if it is found in a building; but if not found in a building, say in some public place in said town of ..... ) And you are hereby commanded to serve said copy on said D. E. and to post another copy as above directed, at least four days before the ..... day of ....., in the year eighteen hundred and .....

Hereof fail not, and make due return of this warrant, with your doings thereon.

Witness my hand and seal at ....., this ..... day



129 of ....., in the year eighteen hundred and .....

130 .....  
.....

131 ..... Justice of the Peace.

132 Form of notice under sections five and six, to be annexed to the foregoing  
133 warrant, and served as therein directed:

134 To D. E. of ....., in the county of ....., and to  
135 any and all other persons claiming any interest in (twenty gallons of rum in a  
136 barrel, two gallons of gin in a demijohn, and in said barrel and demijohn, or  
137 as the case may be), which by virtue of a warrant issued by me, have been  
138 seized (at the dwelling house of said D. E. in said ....., or as  
139 the case may be), on the ..... day of ....., in the year  
140 eighteen hundred and ....., the value of which rum and gin, with the  
141 vessels containing them, does not in my opinion exceed fifty dollars.

142 You are hereby required to appear at ..... (Here  
143 name the place for the hearing) in said ....., at .....  
144 o'clock, .... M., on the ..... day of ....., in the year  
145 eighteen hundred and ....., to answer to the complaint against said  
146 liquors and the vessels containing them, and for the trial, and to show cause,  
147 if any you have, why said liquors and the vessels containing them should not be  
148 forfeited for being kept for sale by said D. E. in violation of the laws of this  
149 State.

150 Witness my hand at ....., this ..... day of .....,  
151 in the year eighteen hundred and .....

152 .....  
.....

153 ..... Justice of the Peace.

154 Warrant to officer to serve notice under section thirteen:

155 STATE OF ILLINOIS,                    }  
156 COUNTY OF ..... } ss.

157 To the sheriff of our county of ....., or either  
158 (L. S.) of his deputies, or any constable of the town of .....,  
159 in said county.

160 (If the seizure is made in a city, the warrant may be directed to the city  
161 marshal and any other city officers authorized to serve it.)

162 You are hereby commanded to serve the annexed notice, by delivering an  
163 attested copy thereof into the hands of D. E. at ....., in  
164 the county of ....., or by leaving an attested copy thereof at  
165 his usual place of abode, and also by posting up another attested copy thereof  
166 on .....

167 (Here describe the building in which the liquor was seized, if it is found in  
168 any building; but if not found in any building, add, in some public place in the  
169 town of ..... ) And you are hereby commanded to serve said  
170 copy on said D. E. and to post another copy as above directed, at least fourteen  
171 days before the ..... day of ....., in the year  
172 eighteen hundred and .....

173 Hereof fail not, and make return of this warrant with your doings there-  
174 on, before the undersigned at ....., in and for our county of .....,  
175 on the ..... day of ....., in the year eighteen hun-  
176 dred and .....

177     Witness my hand and seal at said ....., this .....  
 178 day of ....., in the year eighteen hundred and .....  
 179 .....

180 ..... Justice of the Peace.

181     Form of notice under section thirteen, to be annexed to the foregoing war-  
 182 rant:

183     To D. E. of ....., in the county of ....., and to  
 184 any and all other persons claiming any interest in (one hundred gallons of  
 185 brandy in two hogsheads, and two gallons of gin in a demijohn, and in said hogs-  
 186 heads and demijohn, or as the case may be) which, by virtue of a warrant issued  
 187 by me have been seized (at the dwelling-house of said D. E. in said .....,  
 188 or as the case may be) on the .....day of ....., in the year  
 189 eighteen hundred and ....., the value of which brandy and gin, with  
 190 the vessels containing them, in my opinion exceeds fifty dollars.

191     You are hereby required to appear before the undersigned at .....,  
 192 in said county of ....., on the ..... day of  
 193 ..... next, to answer to the complaint against said liquors and  
 194 vessels containing them, and for trial, and to show cause, if any you have, why  
 195 said liquors and vessels should not be forfeited for being kept for sale by said  
 196 D. E., in violation of the laws of this State.

197     Witness my hand and seal at ....., this .....day  
 198 of ....., in the year eighteen hundred and .....  
 199 .....

200 ..... Justice of the Peace.

201 Form of warrant to deliver liquor to the chief of police, and to sell the  
202 same:

203 STATE OF ILLINOIS,                     }  
204 COUNTY OF .....                 } ss.

205 To ....., deputy sheriff (here name the officer hav-  
206 (L. S.) ing the liquor in custody) and ....., a person  
207 appointed by ....., a justice of the peace for said  
208 county, to witness the destruction of said intoxicating liquors. (Greeting:

209 WHEREAS, Certain intoxicating liquors, to-wit (ten gallons of gin in a bar-  
210 rel, and four gallons of port wine in a demijohn or as the case may be) have  
211 been declared forfeited by me, the subscriber, one of the justices of the peace  
212 in and for the county of ....., for having been kept by D. E. of  
213 ....., in said county of ....., at said  
214 ....., on the ..... day of ....., in the year  
215 eighteen hundred and ....., with intent to sell the same in this  
216 State, he not being then and there authorized to sell the same by any lawful  
217 authority whatever, whereupon I declared and adjudged, among other things,  
218 that said liquors, with the vessels in which they are contained, were forfeited  
219 to the State:

220 Now I hereby command you, said ....., to deliver  
221 said (ten gallons of gin and four gallons of port wine) to .....,  
222 chief of police, to be by him sold, according to law, and the net proceeds paid  
223 over to the Treasurer of the State.

224 And make return of this precept, with your doings thereon.

227

Justice of the Peace.

Sec. 18. All acts or parts of acts in conflict herewith are hereby repealed.





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- 1 Introduced by Mr. Luke, January 31, 1907.
  - 2 Read by title, ordered printed and referred to Committee on Municipal Corporations.

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## A BILL

For an Act to regulate the keeping, storing and maintaining of coal oil, gasoline, benzine, kerosene, or any other combustible fluid within one-half mile of the limits of any incorporated city or village.

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SECTION 1. - *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That it shall be unlawful for any corporation, company, co-  
3 partnership or person, manufacturing, refining, producing or dealing in coal oil,  
4 gasoline, benzine, kerosene or any other combustible fluid to be kept, stored or  
5 maintained in any quantity of more than fifty (50) gallons in any one place with-  
6 in one-half ( $\frac{1}{2}$ ) mile of the limits of any incorporated city or village and within  
7 one-half ( $\frac{1}{2}$ ) mile of any such other place where such oils or fluids are kept, stored  
8 or maintained.

Sec. 2. Any person, firm or corporation violating Section 1 of this Act shall be  
2 deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less  
3 than one hundred dollars (\$100.00), nor more than one thousand dollars (\$1,000.00),

4 or confined in the county jail not less than ninety (90) days nor more  
5 than one (1) year, or both in the discretion of the Court; and it shall be the duty  
6 of the State's Attorney in every county where any such offenses are committed to  
7 institute proceedings or prosecutions against such persons, firms or corporations,  
8 and upon the neglect or failure to enforce the provisions of this Act, such State's  
9 Attorney shall be deemed guilty of a misdemeanor and shall be liable to the pen-  
10 alties herein contained upon conviction for such neglect or omission of duty, and  
11 any person having knowledge of such violations may make a demand upon such  
12 State's Attorney and upon his neglect or refusal to institute and prosecute proceed-  
13 ings against such person, firm or corporation, then such person may file a petition  
14 before some court of competent jurisdiction in the nature of an information setting  
15 forth such neglect or omission of duty and said Court shall have power and  
16 authority to issue process thereon in like manner as upon indictments in other  
17 criminal cases, and said Court shall appoint some attorney at law who shall not  
18 be of kin to such State's Attorney to prosecute such case, and such attorney shall  
19 have all the powers conferred upon state's attorneys by law.

- 1 Introduced by Mr. McKinlay, January 31, 1907.
- 2 Read by title, ordered printed and referred to Committee on Insurance.

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## A BILL

For an act regulating life insurance companies and prohibiting the diversion of funds for political purposes.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That no insurance company or associa-  
3 tion including fraternal beneficiary associations, doing business in this State,  
4 shall, directly or indirectly, pay or use or offer, consent or agree to pay or  
5 use any money or property for or in aid of any political party, committee or  
6 organization, or for or in aid of any corporation, joint stock or other asso-  
7 ciation organized or maintained for political purposes, or for or in aid of any  
8 candidate for political office or for nomination for such office, or for any political  
9 purpose whatsoever, or for the reimbursement or indemnification of any person for  
10 money or property so used. Any officer, director, stockholder, attorney or agent of

11 any corporation or association which violates any of the provisions of this Act,  
12 who participates in, aids, abets or advises or consents to any such violation, and any  
13 person who solicits or knowingly receives any money or property in violation of  
14 this Act, shall be guilty of a misdemeanor and be punished by imprisonment for  
15 not more than one year and a fine of not more than one thousand dollars, and  
16 any officer aiding or abetting in any contribution made in violation of this Act,  
17 shall be liable to the company or association for the amount so contributed.

18 No person shall be excused from attending and testifying, or producing  
19 any books, papers, or other documents, before any court or magistrate,  
20 upon any investigation, proceeding or trial, for a violation of any of the pro-  
21 visions of this Act, upon the ground or for the reason that the testimony or  
22 evidence, documentary or otherwise, required of him may tend to incrimi-  
23 nate or degrade him; but no person shall be prosecuted or subjected  
24 to any penalty or forfeiture for or on account of any transaction, matter or  
25 thing concerning which he may so testify or produce evidence, documentary or  
26 otherwise, and no testimony so given or produced shall be used against him  
27 upon any criminal investigation or proceeding.

Sec. 2. All acts and parts of acts inconsistent with the provisions of this

2 Act are hereby repealed.



AMENDMENT TO  
**45th Assem. HOUSE—No. 161 Apr. 1907**

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Amendment to House Bill No. 161, adopted by the House April 29, 1907.

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AMENDMENT NO. 1.

Amend House Bill No. 161 in line 2, section 1 of the printed bill, after the word "no" insert the word "life."



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- 1 Introduced by Mr. McLaughlin, January 31, 1907.
  - 2 Read by title, ordered printed and referred to Committee on Municipal Corporations.

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## A BILL

For an act regulating the locating, constructing, operating and maintaining of Public  
Places of Amusement.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in*  
2 *the General Assembly:* That it shall be unlawful for any person, firm, corporation  
3 or association, either directly or indirectly, to locate, construct, operate or maintain  
4 any park, building, grounds, or enclosure for purposes of amusement within eight  
5 hundred (800) feet of any public hospital, and any person violating this Act shall  
6 be guilty of a misdemeanor and shall be liable to a fine of not less than \$200 nor  
7 more than \$1,000, and each day that any park, building, grounds or enclosure  
8 used for amusement located, constructed, operated or maintained as aforesaid  
9 contrary to this Act shall be a separate offense.



- 1 Introduced by Mr. Lindly, January 31, 1907.
- 2 Read by title, ordered printed and referred to Committee on Manufactures.

## A BILL

For an act to prevent fraud in the sale of dairy products, their imitation or substitutes, to prohibit and prevent the manufacture or sale of unhealthful, adulterated or misbranded food, liquors or dairy products, to provide for the appointment of a State Food Commissioner and his assistants, to define their powers and duties and to repeal all acts relating to the production, manufacture and sale of dairy and food products and liquors in conflict herewith.

*Be it enacted by the People of the State of Illinois, represented in the General Assembly:*

### SECTION 1. PROVISION FOR APPOINTMENT OF A STATE FOOD COMMISSIONER AND

- 2 HIS ASSISTANTS, AND THE ESTABLISHMENT OF A STATE FOOD DEPARTMENT—That the
- 3 Governor shall appoint a Commissioner who shall be known as the State Food
- 4 Commissioner, who shall be a citizen of the State of Illinois, and who shall hold his
- 5 office for the term of four years and until his successor is appointed and qualified,
- 6 and who shall receive a salary of twenty-five hundred dollars per annum and his



7 necessary expenses incurred by him in the discharge of his official duties, and who  
8 shall be charged with the enforcement of all laws that now exist or that hereafter  
9 may be enacted in this State regarding the production, manufacture, sale and la-  
10 beling of food as herein defined, and to prosecute or cause to be prosecuted any  
11 person, firm or corporation, or agent thereof, engaged in the manufacture or sale  
12 of any article manufactured or sold in violation of the provisions of any such law  
13 or laws.

14 The said Commissioner is hereby authorized to appoint a secretary whose  
15 salary shall be \$1,800 per year and with the advice and consent of the Governor,  
16 two assistant commissioners, one of whom shall be an expert dairyman and one  
17 of whom shall be an expert analytical chemist, and who shall be known as the  
18 State Analyst, each of whose salaries shall be \$2,500 per annum and expenses in-  
19 curred in the discharge of official duties. Said Commissioner shall also have  
20 power to appoint seven assistant chemists, who shall each be expert analytical  
21 chemists, and whose salaries shall each be a sum not exceeding \$1,500 per year, and  
22 the said Commissioner may from time to time appoint such other assistant chem-  
23 ists as may be necessary, who shall be expert analytical chemists, and shall be al-  
24 lowed a salary of \$100 per month for such time as they may be employed, and said  
25 Commissioners shall have authority to appoint not to exceed twenty-five inspectors  
26 to be paid at the rate of \$100 per month each and the necessary expenses incurred  
27 in the performance of their duties; and said Commissioner shall have power to  
28 appoint such counsel as he may need from time to time, not exceeding three attor-  
29 neys at any one time, who shall receive as compensation the sum of \$1,500 per  
30 annum and necessary expenses incurred in the discharge of their duties.

31 The sum of one hundred and twenty-five thousand dollars annually is hereby  
32 appropriated to be paid for the execution of the dairy and food laws out of any

money not otherwise appropriated. All charges, accounts and expenses authorized by this Act shall be paid by the State Treasurer upon warrants of the State Auditor to be issued on accounts to be rendered to and approved by the Governor, and shall be paid at the end of each month.

The said Commissioner shall make annual reports to the Governor, not later than the 15th day of January, of his work and proceedings, and shall report in detail the number of inspectors he has appointed and employed with their expenses and disbursements and the amount of salary paid the same, and he may from time to time issue bulletins of information when in his judgment the interests of the State would be promoted thereby.

The said Commissioner shall establish and maintain an office and laboratory where the business of said department may be conducted. This section shall not affect the term of office of the present Commissioner, and he shall be regarded as having been appointed under the provisions of this Act.

## Sec. 2. POWER OF COMMISSIONER, ASSISTANTS AND INSPECTORS MAKING INSPEC-

TION—The said Commissioner, Assistant Commissioners and such Inspectors, Agents, Chemists and Counsel shall be duly authorized for the purpose, and shall have access, ingress and egress to and from all places of business, factories, farms, buildings, carriages and cars used in the manufacture, transportation or sale of any article of food as defined in this Act, and also into restaurants, dining halls, cafes, hotels and all rooms thereof, and all other places where food is prepared, stored or served to patrons. They shall also have power and authority to open any package, can or vessel containing or supposed to contain any article manufactured, sold or exposed for sale, or held in possession with intent to sell, in violation of the provisions of this Act or laws that now exist or that

12 may hereafter be enacted in this State, and may inspect the contents thereof,  
13 and may take samples therefrom for analysis. All dealers, clerks, bookkeepers,  
14 express agents, railroad officials, employes or common carriers shall render to  
15 them all the assistance in their power, when so requested, in tracing, finding or  
16 discovering the presence of any article prohibited by law, and in securing sam-  
17 ples thereof as herein provided for.

Sec. 3. REFUSAL TO ASSIST INSPECTOR MISDEMEANOR—Any refusal or neglect  
2 on the part of such dealers, clerks, bookkeepers, express agents, railroad offi-  
3 cials, employes or common carriers to render such friendly aid, or to furnish  
4 such sample for analysis, as provided for in section 2 of this Act, shall be deemed  
5 a misdemeanor and shall be punished as hereinafter provided.

Sec. 4. SEALING AND TRANSMITTING SAMPLES—The person taking such sam-  
2 ple, as provided for in section 2 of this Act, shall mark or seal such sample with  
3 a paper seal or otherwise, and shall write his name thereon and number said  
4 sample so as to properly identify the same, and shall tender to the manufac-  
5 turer or vender of such article or product, or the person in whose control or pos-  
6 session such article or product may be at the time the sample is taken, the value  
7 thereof; but, if the person from whom such sample is taken shall request him  
8 to do so, he shall at the same time and in the presence of the person from  
9 whom the same is taken, seal with paper seals or otherwise two samples of the  
10 article taken, on each of which said samples, or on the seals placed thereon, shall  
11 be placed the name of the person taking said sample and also the number above  
12 provided for, the one of which said samples shall be delivered to the person from  
13 whom the same is taken, and the other shall be taken by the person so procur-  
14 ing the same to the State Analyst or other competent person appointed for the

15 purpose of making examinations or analyses of samples so taken: *Provided*,  
 16 That the person procuring said sample may securely pack and box said sample  
 17 and send the same to the State Analyst, or other competent person appointed  
 18 hereunder for the purpose of making examinations or analyses of samples, and  
 19 his testimony that he did procure the samples and that he sealed and numbered  
 20 the same as herein provided, and that he wrote his name thereon and that he  
 21 packed and boxed said sample and sent the same to the State Analyst, or other  
 22 competent person appointed hereunder, to analyze such sample and the testimony  
 23 of the person to whom said sample is addressed that he received said box or pack-  
 24 age in apparent good order; that said sample was sealed and that the number  
 25 and name of the sender, as herein provided for, was on said sample, and that the  
 26 seal at the time the same was received was unbroken, shall be *prima facie* evi-  
 27 dence that the samples so received is the sample that was sent, and that the con-  
 28 tents thereof are the same and in the same condition as at the time the person so  
 29 procuring said sample parted with the possession thereof, and the testimony of  
 30 said two witnesses as above shall be sufficient to make such *prima facie* proof.

Sec. 5. MANUFACTURING ADULTERATED OR MISBRANDED FOOD MISDEMEANOR—

2 It shall be unlawful for any person to manufacture for sale within the State of  
 3 Illinois any article of food or drink which is adulterated or misbranded within  
 4 the meaning of this Act; and any person who shall violate any of the provisions  
 5 of this section shall be guilty of a misdemeanor and on conviction thereof shall  
 6 be punished according to the provisions of this Act.

Sec. 6. POSSESSION MISBRANDED OR ADULTERATED ARTICLES PROHIBITED—The

2 having in possession of any article of food or drink which is misbranded or  
 3 adulterated with intent to sell the same is hereby prohibited, and whoever shall



4 have in his possession with intent to sell, sell or offer for sale any article  
 5 which is adulterated or misbranded within the meaning of this Act shall be guilty  
 6 of a misdemeanor, and on conviction thereof shall be punished as hereinafter  
 7 provided. Proof that any person, firm or corporation has or had possession of  
 8 any article which is adulterated or misbranded shall be *prima facie* evidence  
 9 that the possession thereof is in violation of this section.

Sec. 7. TERM FOOD DEFINED—The term “food” as used herein shall in-  
 2 clude all articles used for food, drink, confectionery or condiment by man or other  
 3 animals, whether simple, mixed or compound, and any substance used as a con-  
 4 stituent in the manufacture thereof.

Sec. 8. STANDARD OF PURITY AND STRENGTH—In the enforcement of this  
 2 Act, and in the construction thereof, the following named articles of food-  
 3 stuffs, when offered for sale or exposed for sale, or sold, shall conform to the  
 4 analytical requirements set opposite each respectively:

5 *Milk* shall contain not less than three and one-quarter (3.25) per cent of  
 6 milk fat and not less than eight and one-half (8.5) per cent of solids, not fat.

7 *Condensed Milk and Sweetened Condensed Milk* shall contain not less than  
 8 twenty-eight (28) per cent of milk solids and one hundred (100) per cent of such  
 9 milk solids shall contain not less than twenty-seven and five-tenths (27.5) per cent  
 10 of milk fat.

11 *Cream* shall contain not less than eighteen (18) per cent of milk fat.

12 *Butter* shall contain not less than eighty-two and one-half (82.5) per cent  
 13 of milk fat and not more than sixteen (16) per cent of water.

14 *Cheese* shall contain not less than fifty (50) per cent of milk fat in the water  
 15 free substance.



16      *Ice Cream* shall contain not less than fourteen (14) per cent of milk fat.

17      *Nut and Fruit Ice Cream* shall contain not less than twelve (12) per cent of  
18 milk fat.

19      *Maple Sugar* shall contain not less than sixty-five one hundredths (0.65)  
20 per cent of maple ash in the water-free substance.

21      *Maple Syrup* shall contain not more than thirty-two (32) per cent of water  
22 and not less than forty-five hundredths (0.45) per cent of maple syrup ash.

23      *Honey* is laevo-rotatory, contains not more than twenty-five (25) per cent  
24 of water, not more than twenty-five hundredths (0.25) per cent of ash and not  
25 more than eight (8) per cent of sucrose.

26      *Cloves* shall contain not more than five (5) per cent of clove stems, not less  
27 than ten (10) per cent of volatile ether extract, not less than twelve (12) per  
28 cent of quercitannic acid, not more than eight (8) per cent of total ash, not more  
29 than five-tenths (0.5) per cent of ash insoluble in hydrochloric acid, and not more  
30 than ten (10) per cent of crude fiber.

31      *Black Pepper* shall contain not less than six (6) per cent of non-volatile ether  
32 extract, not less than twenty-five (25) per cent of pepper starch, not more than  
33 seven (7) per cent of total ash, not more than two (2) per cent of ash insoluble  
34 in hydrochloric acid, and not more than fifteen (15) per cent of crude fiber.

35      *Lemon Extract* shall contain not less than five (5) per cent of oil of lemon  
36 by volume.

37      *Orange Extract* shall contain not less than five (5) per cent of oil of orange  
38 by volume.

39 *Vanilla Extract* shall contain in one hundred (100) cubic centimeters the sol-  
40 uble matters from not less than ten (10) grams of vanilla bean.

41 *Olive Oil* has a refractive index (25°C.) not less than one hundred and forty-  
42 six hundred and sixty ten thousandths (1.4660) and not exceeding one and forty-  
43 six hundred and eighty ten-thousandths (1.4680); and an iodine number not less  
44 than seventy-nine (79) and not exceeding ninety (90).

45 *All Vinegars* shall contain four (4) grams of acetic acid in one hundred  
46 (100) cubic centimeters (20°C.).

47 *Cider Vinegar* shall contain not less than one and six tenths (1.6) grams of  
48 apple solids, and not less than twenty five hundredths (0.25) grams of apple ash  
49 in one hundred (100) cubic centimeters (20°C.).

50 *Wine Vinegar* shall contain not less than one (1) gram of grape solids and  
51 not less than thirteen-hundredths (0.13) gram of grape ash in one hundred cubic  
52 centimeters (20°C.).

53 *Malt Vinegar* shall contain in one hundred (100) cubic centimeters (20°C.)  
54 not less than two (2) grams of solids and not less than two-tenths (0.2) gram of  
55 ash.

56 *Provided*, That nothing in this section shall be construed to prevent the sale  
57 of any wholesome food product which varies from such standards, if such arti-  
58 cle of food be labeled so as to clearly indicate such variation.

59 Articles of foodstuffs not above named or expressly defined in any other  
60 parts of this Act shall, when offered or exposed for sale or sold, conform to the  
61 analytical requirements set opposite each respectively in the last edition of the

62 United States Pharmacopoeia, or the last edition of the United States dispensa-  
 63 tory, and shall be manufactured of and composed of materials therein provided  
 64 and none other.

Sec. 9. DEFINES ADULTERATION—That for the purpose of this Act an article  
 2 shall be deemed to be adulterated:

3 In the case of confectionery, if it contains terra alba, barytes, talc, chrome  
 4 yellow, or other mineral or poisonous substance or poisonous color or flavor,  
 5 or other ingredient deleterious or detrimental to health, or any vinous, malt or  
 6 spiritous liquor or compound or narcotic drug.

7 In the case of food:

8 *First*—If any substance has been mixed or packed with it so as to reduce or  
 9 lower or injuriously affect its quality, strength or purity.

10 *Second*—If any substance has been substituted wholly or in part for the ar-  
 11 ticle.

12 *Third*—If any valuable constituent of the article has been wholly or in part  
 13 abstracted.

14 *Fourth*—If it be mixed, colored, powdered, coated, polished or stained in any  
 15 manner whereby damage or inferiority is concealed, or it is made to appear bet-  
 16 ter or of greater value than it really is.

17 *Fifth*—If it contains any added poisonous or other added deleterious ingre-  
 18 dient which may render such article injurious to health. *Provided*, That when in  
 19 the preparation of food products for shipment they are preserved by an external

20 application, applied in such manner that the preservative is necessarily removed  
 21 mechanically, or by maceration in water, or otherwise, and directions for the re-  
 22 moval of said preservative shall be printed on the covering of the package, the  
 23 provisions of this Act shall be construed as applying only when such products are  
 24 ready for consumption, and formaldehyde, hydrofluoric acid, boracic acid, sa-  
 25 licylic acid and all compounds and derivatives thereof are hereby declared un-  
 26 wholesome and injurious.

27 *Sixth*—If it consists in whole or in part of a filthy, decomposed or putrid, in-  
 28 fected, tainted or rotten animal or vegetable substance or article, or any portion  
 29 of an animal unfit for food, whether manufactured or not, or if it is the product of  
 30 a diseased animal, or one that has died otherwise than by slaughter.

31 Sec. 10. MISBRANDED DEFINED—The term “misbranded,” as used herein,  
 32 shall apply to all articles of food or drink, or articles which enter into the com-  
 33 position of food or drink, the packages or label of which shall bear any state-  
 34 ment, design or device regarding such article, or the ingredients or substance  
 35 contained therein which shall be false or misleading in any particular and to  
 36 any of such products which are falsely branded as to the state, territory or  
 37 county in which it is manufactured or produced. That for the purpose of this  
 38 Act an article shall be deemed misbranded,

39 In case of food:

40 *First*—If it be an imitation of or offered for sale under the distinctive  
 41 name of another article.

42 *Second*—If it be labeled or branded so as to deceive or mislead the pur-  
 43 chaser, or purports to be a foreign product when not so, or if the contents of



the package as originally put up shall have been removed in whole or in part and other contents shall have been placed in such package, or if it shall fail to bear a statement on the label of the quantity or proportion of any morphine, opium, cocaine, heroin, alpha or beta eucane, chloroform, cannabis indica, chloral hydrate or acetanilid, or any derivative or preparation of any such substances contained therein.

*Third*—If in package form and the contents are stated in terms of weight or measure, they are not correctly and plainly stated on the outside of the package.

*Fourth*—If it be a manufactured article of food or food sold in package form, and is not distinctly labeled, marked or branded with the true name of the article, and with either the name of the manufacturer and place of manufacture or the name and address of the packer or dealer who sells the same.

*Fifth*—If the package containing it, or its label, shall bear any statement, design or device regarding the ingredients or the substance contained therein, which statement, design or device shall be false or misleading in any particular: *Provided*, That an article of food which does not contain any added, poisonous or deleterious ingredients shall not be deemed to be adulterated or misbranded in the following cases:

*First*—In the case of mixtures or compounds which may be now or from time to time hereafter known as articles of food under their own distinctive names, and not an imitation of or offered for sale under the distinctive name of another article, if the name be accompanied on the same label or brand with a statement of the place where said article has been manufactured or produced.



68       *Second*—In the case of articles labeled, branded or tagged so as to plainly  
 69 indicate that they are compounds, imitations or blends, and the word “com-  
 70 pound,” “imitation,” or “blend,” as the case may be, is plainly stated on the  
 71 package in which it is offered for sale: *Provided*, That the term “blend,” as  
 72 used herein, shall be construed to mean a mixture of like substances, not ex-  
 73 cluding harmless coloring or flavoring ingredients used for the purpose of col-  
 74 oring and flavoring only: *And Provided further*, That nothing in this Act shall  
 75 be construed as requiring or compelling proprietors or manufacturers of pro-  
 76 prietary foods, which contain no unwholesome added ingredients, to disclose  
 77 their trade formulas, except insofar as the provisions of this Act may require  
 78 to secure freedom from adulteration or misbranding.

Sec. 11. CONFISCATION AND CONDEMNATION OF MISBRANDED OR ADULTERATED  
 2 FOODS—Any article of food or drink or liquor that is adulterated within the  
 3 meaning of this Act, and is being sold or offered for sale within the State of  
 4 Illinois, shall be liable to be proceeded against in any circuit court, or the Su-  
 5 perior Court of Cook County, or the municipal court of any city, or before  
 6 any justice of the peace within whose jurisdiction the same may be found, and  
 7 seized for confiscation by process of law for condemnation. And if such article  
 8 is condemned as being adulterated or misbranded, or of a poisonous or deleteri-  
 9 ous character within the meaning of this Act, the same shall be disposed of  
 10 by destruction or sale as the said court may direct, and the proceeds thereof,  
 11 if sold, less the legal costs and charges, shall be paid into the treasury of the  
 12 State of Illinois and credited to the fund of the State Food Commission, to  
 13 be used in the enforcement of the State food laws, but such goods shall in no  
 14 instance be sold contrary to the provisions of this Act.

Sec. 12. VINEGAR TO BE BRANDED—All vinegar other than cider vinegar  
 2 made by fermentation and oxidation without the intervention of distillation,  
 3 shall be branded with the name of the fruit or substance from which the same  
 4 is made. All vinegar made wholly or in part from distilled liquor shall be  
 5 branded “distilled vinegar,” and shall not be colored in imitation of cider vine-  
 6 gar. All vinegar shall be made wholly from the fruit or grain from which it  
 7 purports to be or is represented to be made, shall contain no foreign substance  
 8 and shall contain not less than four per cent, by weight, of absolute acetic acid.

Sec. 13. FRUITS, JELLIES AND JAMS—No person shall, by himself or another,  
 2 er, either as principal, clerk or servant, directly or indirectly, manufacture for  
 3 sale, have in his possession with intent to sell, offer or expose for sale, or sell  
 4 as fruit, jelly, jam or fruit butter, any imitation fruit, jelly, jam or fruit butter,  
 5 or other similar compound, made or composed in whole or in part of glucose,  
 6 dextrine, starch or other substances under any name or designation what-  
 7 ever, unless the same shall be composed entirely of ingredients not injurious  
 8 to health, and every can, pail or package of such jelly, fruit, jam or fruit butter  
 9 sold, offered for sale, or kept for sale in this State shall be distinctly and dur-  
 10 ably labeled in a conspicuous place immediately preceding the name of the ar-  
 11 ticle sold with the word “imitation” preceding the name of the fruit, jelly,  
 12 jam or fruit butter the article is intended to imitate: *Provided*, Any fruit,  
 13 jelly, jam or fruit butter containing no foreign ingredient other than glucose  
 14 may be labeled and sold as “glucose (or corn syrup) jelly,” “fruit,” “jam”  
 15 or “fruit butter,” as the case may be, to conform in name to the fruit or fruits  
 16 used in its preparation.

Sec. 14. EXTRACTS TO BE LABELED—Extracts made of more than one prin-  
 2 cipal must be labeled in a conspicuous manner with the name of each principal,

3 or else with the name of the inferior or adulterant, and in all cases when an  
 4 extract is labeled with two or more names such names must be in a conspicuous  
 5 place on said label, and in no instance shall such mixture be called imitation,  
 6 artificial or compound, and the name of one of the articles used shall not be  
 7 given greater prominence than another: *Provided*, That all extracts which  
 8 cannot be made from the fruit, berry, bean or other part of the plant, and  
 9 must necessarily be made artificially, as raspberry, strawberry, etc., shall be  
 10 labeled "imitation" in letters similar in size and immediately preceding the  
 11 name of the article: *Provided further*, That prepared cocoanut, containing  
 12 nothing other than cocoanut, sugar and glycerine, shall be labeled as prepared  
 13 cocoanut, and when so made need not be labeled "compound" or "mixture."

Sec. 15. BAKING POWDER—HOW LABELED—No person by himself, his ser-  
 2 vant, or his agent, or as the servant of any other person, shall, first, make or  
 3 manufacture baking powder or any other mixture or compound intended for  
 4 use as baking powder; second, or sell, exchange, deliver, or offer for sale, or  
 5 exchange, such baking powder or any mixture or compound intended for use  
 6 as baking powder, unless the same shall contain not less than ten (10) per cent  
 7 available carbon dioxide, and unless the common names of all the ingredients be  
 8 printed on the label.

Sec. 16. ADULTERATED OR SPIRITUOUS, MALT OR VINOUS LIQUORS PROHIBITED  
 2 —No person shall within this State, by himself, his servant or agent, or as a  
 3 servant or agent of any other person or corporation, manufacture, brew, dis-  
 4 til, have or offer for sale, or sell any spiritous or fermented or malt liquor,  
 5 containing any drug, substance or ingredient not healthful or not normally ex-  
 6 isting in said spiritous, fermented or malt liquor, or which may be deleterious  
 7 or detrimental to health when such liquors are used as a beverage, and the fol-



lowing drugs, substances or ingredients shall be deemed to be not healthful or not normally existing in spirituous, fermented or malt liquor, and shall be deemed to be deleterious or detrimental to health when contained in such liquors, to-wit: Cocculus indicus, chloride of sodium, copperas, opium, cayenne pepper, picric acid, Indian hemp, strychnine, arsenic, tobacco, dandel seed, extract of logwood, salts of zinc, copper or lead, alum, methyl alcohol and its derivatives, and any extracts or compound of any of the above drugs, substances or ingredients, and any person violating any of the provisions of this Act shall be deemed guilty of a misdemeanor.

Sec. 17. MUTILATING LABEL PROHIBITED—Whoever shall deface, change, erase or remove any mark, label or brand provided for by this Act with intent to mislead, deceive or to violate any of the provisions of this Act, shall be held liable to the penalties of this Act.

Sec. 18. SALE OF UNCLEAN OR UNWHOLESOME MILK FOR CONSUMPTION PROHIBITED—No person, firm or corporation shall offer or expose for sale, or sell or deliver to any person, firm or corporation, creamery or cheese factory, or have in his possession with intent to sell, any unclean, impure, unhealthful, unwholesome, or adulterated milk or cream, or any milk or cream which has not been well cooled and aerated, or to which water or any other foreign substance of any kind has been added: *Provided*, That nothing in this section shall be construed to prevent the sale of skim milk to factories engaged in the manufacture of skim milk products, nor the sale of skim milk under the provisions of section 23 of this Act.

Sec. 19. PREMISES AND UTENSILS TO BE CLEAN—All premises, cans, bottles and utensils, employed or used in the production, transportation, sale or

3 delivery of milk or cream for consumption, or employed or used in the man-  
 4 ufacture or sale of any food products, shall be kept in a clean and sanitary  
 5 condition, and no person shall sell, offer for sale, or have in his possession  
 6 with intent to sell, any milk, cream, or other food product, not manufactured,  
 7 transported and offered for sale under such clean and sanitary conditions.  
 8 The Commissioner, or other person duly appointed by him, shall have power,  
 9 when inspecting such cans, bottles and utensils, used in the production, trans-  
 10 portation, manufacture or sale of milk, cream or other food product, to order  
 11 the use of any such can, bottle or other utensil, which is in an unclean or insan-  
 12 itary condition, discontinued until such can, bottle or other utensil be thor-  
 13 oughly cleaned and put in sanitary condition; and such person so inspecting  
 14 such cans, bottles and other utensils, shall have power to brand, mark or tag  
 15 such can, bottle or other utensils with the words, "This (can, bottle or utensil)  
 16 is unfit to contain (human food, milk or cream)" as the case may be; and any  
 17 person who shall erase, change, remove, conceal or obliterate any such brand,  
 18 mark or tag, except for the purpose of properly cleaning and putting such can,  
 19 vessel or utensil in a sanitary condition, shall be guilty of a misdemeanor and be  
 20 subject to the penalties hereinafter provided.

Sec. 20. PERSONS RECEIVING MILK TO WASH CANS—Any person, firm or  
 2 corporation who receives any milk or cream in cans, bottles or vessels, which  
 3 has been transported over any railroad, or boat line, where such cans, bottles  
 4 or vessels are to be returned, shall cause the said cans, bottles or vessels to be  
 5 emptied before the said milk or cream contained therein shall become sour,  
 6 and shall cause said cans, bottles or vessels to be immediately washed and  
 7 thoroughly cleansed and aired.



Sec. 21. MILK Cows—How Kept—No person, firm or corporation shall keep cows for the production of milk in a crowded condition, or in stables which are not properly ventilated, or which are filthy from an accumulation of animal refuse or from any other cause. Nor shall milk for food purposes be drawn from cows which are themselves in a condition of filth or uncleanness, or from cows which are affected with tuberculosis, running sores, or any other form of disease, or from cows which are fed either wholly or in part upon distillery waste, or brewery grains, or the waste of vinegar, or that of sugar factories, not properly dried, or upon any other form of food which will produce milk which is unhealthful or unwholesome, or from cows within fifteen days before and five days after parturition; and all milk thus produced is hereby declared to be unclean, impure, unhealthful and unwholesome milk, and any milk to which water or any other foreign substance has been added, or from which any part of the milk commonly known as “strippings” has been withheld, or which has been deprived either wholly or in part of any constituent naturally or normally contained in milk, is hereby declared to be adulterated milk. This section shall not be construed to prevent the feeding or ensilage from silos. The having in possession by any person, firm or corporation producing milk for market, or for sale or exchange, or for manufacturing the same into articles of food, of distillery waste or brewery grains, or the waste of vinegar, or that of sugar factories not dried as aforesaid, or any other form of food which will produce milk which is unhealthful or unwholesome, shall be considered for the purpose of this Act as *prima facie* evidence of an intent to use the same contrary to the provisions of this Act.

Sec. 22. NOT TO MANUFACTURE FOOD FROM IMPURE OR UNCLEAN MILK OR CREAM—No person, firm or corporation shall manufacture from unclean, im-

3 pure, unhealthful or unwholesome milk, or from cream from the same, any ar-  
 4 ticle of food.

Sec. 23. SALE OF SKIM MILK—CANS—HOW LABELED—No person, firm

2 or corporation shall sell, or expose for sale, or have in his possession with in-  
 3 tent to sell, in any store or place of business, or on any wagon or other vehicle  
 4 used in transporting milk from which cream has been removed, or milk com-  
 5 monly called "skim milk," without first marking the can, vessel or package  
 6 containing said milk with the words "Skim Milk" in large letters, each letter  
 7 being at least three-fourths of one inch high and one-half inch wide; said words  
 8 shall be on the top or side of said can, vessel or package where they can be eas-  
 9 ily seen.

Sec. 24. INSTRUMENTS FOR MEASURING MILK AND CREAM STANDARDS—The

2 State standard milk measures or pipettes shall have for milk a capacity of sev-  
 3 enteen and six-tenths cubic centimeters, and the State standard test tubes or  
 4 bottles for milk shall have a capacity of two cubic centimeters of mercury at a  
 5 temperature of sixty degrees Fahrenheit between "zero" and ten on the grad-  
 6 uated scale marked on the necks thereof. For cream, eighteen grams shall be  
 7 used, and the standard test tubes or bottles for cream shall have a capacity of  
 8 six cubic centimeters of mercury at a temperature of sixty degrees Fahrenheit  
 9 between "zero" and thirty on the graduated scale marked on the necks thereof,  
 10 and it is hereby made a misdemeanor to use any other measure, pipette, test  
 11 tube or bottle to determine the per cent of butter fat where milk or cream is  
 12 purchased by, or furnished to creameries or cheese factories, and where the  
 13 value of said milk or cream is determined by the per cent of butter fat contained  
 14 in the same. Any manufacturer, merchant, dealer or agent in this State who

15 shall offer for sale or sell a cream or milk, pipette or measure, test tube or  
16 bottle which is not correctly marked or graduated, as herein provided, shall be  
17 guilty of a misdemeanor, and upon conviction thereof shall be punished as pro-  
18 vided in this Act.

Sec. 25. UNDERREADING BABCOCK TEST PROHIBITED—It shall be unlawful  
2 for the owner, manager, agent or any employe of a creamery or cheese fac-  
3 tory to manipulate or underread the Babcock test, or any other contrivance  
4 used for determining the quality or value of milk, or to falsify the record  
5 thereof, or to pay for such milk on the basis of any measurement except the  
6 true measurement as thereby determined.

Sec. 26. SALE OF PRESERVATIVES PROHIBITED—No person, firm or corporation  
2 shall manufacture for sale, advertise, offer or expose for sale, or sell, any mix-  
3 ture or compound intended for use as a preservative or other adulterant  
4 of milk, cream, butter or cheese, nor shall he manufacture for sale, advertise,  
5 offer or expose for sale, or sell any unwholesome or injurious preservative  
6 or any mixture or compound thereof intended as a preservative of any  
7 food: *Provided, however,* That this section shall not apply to pure salt added  
8 to butter and cheese.

Sec. 27. MILK DEALERS IN CITIES AND VILLAGES OVER 1,000 TO TAKE OUT  
2 LICENSES—Every person, firm or corporation, before selling milk or offer-  
3 ing it for sale, or having it in his possession with intent to sell, in a store, booth,  
4 stand, creamery, cheese factory or any other place, and whoever by him-  
5 self or his agents conveys milk in carriages, carts or other vehicles, or  
6 in any manner, for the purpose of selling the same at retail, in any city or  
7 village of 1,000 inhabitants or more, shall annually on the first day of May,

8 or within thirty days thereafter, be licensed by the State Food Commission-  
 9 er to sell milk within the limits of said city or village, and shall pay to the  
 10 said State Food Commissioner the sum of one dollar for each and every car-  
 11 riage, cart or other vehicle thus employed, said moneys to be used in enforce-  
 12 ing the provisions of this Act. Licenses shall be used only in the names of  
 13 the owners of carriages, carts or other vehicles, and shall for the purposes  
 14 of this Act be *prima facie* evidence of ownership. All licenses shall record  
 15 the name, residence, place of business, number of carriages, carts, or other  
 16 vehicles used (where more than one is employed), the name and residence  
 17 of any driver or other person engaged in selling or delivering said milk,  
 18 the number of the carriage, cart or other vehicle, if he has more than one, and  
 19 the number of license. Each licensee shall before engaging in the sale of  
 20 milk cause his name, the number of his license, and the number of the car-  
 21 riage, cart or other vehicle, if he has more than one, and his place of business,  
 22 to be legibly placed on each outer side of all carriages, carts or other vehicles  
 23 used by him in the conveyance or sale of milk, and he shall report to the State  
 24 Food Commissioner any change of driver, or other person employed by him,  
 25 which may occur during the term of his license. Any person not keep-  
 26 ing more than one cow shall in the sale of milk therefrom be exempt from  
 27 the provisions of this section.

Sec. 28. LICENSE REVOKED—The Commissioner may withhold a license  
 2 from any applicant therefor, who prior to application for such license shall  
 3 have been convicted of violating any of the food laws of this State, and may  
 4 revoke any license issued by him to an owner who shall be convicted of violat-  
 5 ing the law with reference to the production, manufacture or sale of milk or



6 products thereon, and every conviction of the licensee for an offense punisha-  
7 ble under this Act shall be sufficient ground for such revocation.

Sec. 29. COLORING GRAIN—No person shall, by himself or another,  
2 either as principal, clerk or servant, directly or indirectly, subject or cause  
3 to be subjected any barley, wheat or other grain to fumigation, by sulphur  
4 or other material or to any chemical or coloring process whereby the color,  
5 quality or germ of such grain is affected.

Sec. 30. FUMIGATED GRAIN NOT TO BE ON SALE—No person shall, by  
2 himself or another, either as principal, clerk or servant, directly or indirectly,  
3 offer for sale, sell or procure to be sold, any barley, wheat or other  
4 grain, which shall have been subjected to such fumigation or other process  
5 as forbidden by section twenty-nine of this Act.

Sec. 31. PROHIBITS SALE OF VEAL FROM CALVES LESS THAN FOUR WEEKS  
2 OLD—That if any person kills, or causes to be killed, for the purpose of  
3 sale, any immature calf, or any calf less than four weeks old, or knowingly  
4 sells or has in his possession with intent to sell, for food, the meat of any im-  
5 mature calf, or of any calf less than four weeks old, he shall be guilty of a  
6 misdemeanor, and all such meat exposed for sale, or kept with intent to  
7 sell, may be seized and destroyed by the Commissioner, or any of his assist-  
8 ants, or any health officer, or any sheriff or deputy sheriff, constable or police  
9 officer.

Sec. 32. ILLEGAL LARD—No person shall within this State, manufacture  
2 for sale, have in his possession with intent to sell, offer or expose for sale, or  
3 sell, as lard, any substance not the legitimate and exclusive product of the fat  
4 of the hog.



Sec. 33. LARD SUBSTITUTE—No person shall manufacture for sale with-  
 2 in this State, or have in his possession with intent to sell, offer or expose  
 3 for sale, or sell as lard, or as a substitute for lard, or as an imitation of lard,  
 4 any mixture or compound which is designed to take the place of lard, and  
 5 which is made from animal or vegetable oils or fats other than the fat of the  
 6 hog, or any mixture or combination with animal or vegetable oils or fats,  
 7 unless the tierce, barrel, tub, pail or package containing the same shall be dis-  
 8 tinctly and legibly branded or labeled, in letters not less than one inch in  
 9 length, with the name of the person, firm or corporation making the same,  
 10 together with the location of the manufactory, and the words “Lard Substi-  
 11 tute” or “Adulterated Lard” as the case may be.

Sec. 34. PERSON SELLING IMITATION OR SUBSTITUTE FOR LARD TO IN-  
 2 FORM PURCHASER—It shall be unlawful to sell or offer for sale any “Lard  
 3 Substitute” or “Adulterated Lard,” as herein defined, without informing the  
 4 purchaser thereof, or the person or persons to whom the same is offered  
 5 for sale, that the substance sold or offered for sale is “Lard Substitute” or  
 6 “Adulterated Lard” as the case may be.

Sec. 35. BUTTER OR CHEESE WHEN SOLD TO BE EXCLUSIVE PRODUCT OF  
 2 MILK OR CREAM—No person by himself or his agents or servants shall manu-  
 3 facture for sale, have in his possession with intent to sell, offer or expose  
 4 for sale, or sell as butter or as cheese, any substance not the exclusive  
 5 and legitimate product of milk or cream.

Sec. 36. For the purpose of this Act, every article, substitute or com-  
 2 pound, or any other than that which is produced from pure milk or cream  
 3 therefrom, made in the semblance of butter and designed to be used as a sub-

stitute for butter made from pure milk or its cream, is hereby declared to be imitation butter: *Provided*, That the use of salt and harmless coloring matter for coloring the product of pure milk and cream shall not be construed to render such product an imitation.

Sec. 37. No person shall coat, powder or color with annatto or any coloring matter whatever, any substance designed as a substitute for butter, whereby such substitute or product so colored or compounded shall be made to resemble butter, the product of the dairy.

No person shall combine any animal fat or vegetable oil or other substance with butter, or combine therewith, or with animal fat or vegetable oil, or combination of the two, or with either one, any other substance or substances, for the purpose or with the effect of imparting thereto a yellow color or any shade of yellow so that such substitute shall resemble a yellow or any shade of genuine yellow butter, nor introduce any such coloring matter or such substance or substances into any of the articles of which the same is composed.

*Provided*, Nothing in this Act shall be construed to prohibit the use of salt, rennet and harmless coloring matter for coloring the products of pure milk or cream for the same.

No person shall, by himself or his agents or employees, produce or manufacture any substance in imitation or semblance of natural butter, nor sell, nor keep for sale, nor offer for sale any imitation butter, made or manufactured, compounded or produced in violation of this section, whether such imitation butter shall be made or produced in this State or elsewhere,

20 This section shall not be construed to prohibit the manufacture and  
 21 sale under the regulations hereinafter provided, of substances designed to  
 22 be used as a substitute for butter and not manufactured or colored as herein  
 23 provided.

Sec. 38. Every person who lawfully manufactures any substance design-  
 2 ed to be used as a substitute for butter, shall mark by branding, stamp-  
 3 ing or stenciling upon the top or side of each box, tub, firkin or other pack-  
 4 age in which such article shall be kept, and in which it shall be removed from  
 5 the place where it is produced, in a clear and durable manner in the English  
 6 language, the word "Oleomargarine" or the word "Butterine," or the words  
 7 "Substitute for Butter," or the words "Imitation Butter," in printed let-  
 8 ters in plain Roman type, each of which shall not be less than three-  
 9 quarters of an inch in length.

10 It shall be unlawful to sell or offer for sale any imitation butter without  
 11 informing the purchaser thereof, or the person or persons to whom the same  
 12 is offered for sale, that the substance sold or offered for sale is imitation  
 13 butter, and the fact that there may be a stencil or other print on the pack-  
 14 age thereof shall be no defense, unless the purchaser is informed thereof at  
 15 the time of the delivery of the package.

Sec. 39. No person by himself or others shall ship, consign or forward  
 2 by any common carrier, whether public or private, any substance designed  
 3 to be used as a substitute for butter, unless it shall be marked or branded  
 4 on each tub, box, firkin, jar or other package containing the same, as pro-  
 5 vided in this Act, and unless it be consigned by the carriers and receipted

6 for by its true name: *Provided*, That this Act shall not apply to any goods  
7 in transit between foreign States across the State of Illinois.

Sec. 40. No person shall have in his possession or under his control any  
2 substance designed to be used as a substitute for butter, unless the tub, fir-  
3 kin, jar, box or other package containing the same be clearly and durably  
4 marked as provided in this Act: *Provided*, That this section shall not be  
5 deemed to apply to persons who have the same in their possession for the actual  
6 consumption of themselves or their families. Every person who shall have  
7 possession or control of any imitation butter for the purpose of selling the same,  
8 which is not marked as required by the provisions of this Act, shall be presumed  
9 to have known during the time of such possession or control the true character  
10 and name, as fixed by this Act, of such product.

Sec. 41. Whoever shall have possession or control of any imitation but-  
2 ter or any substance designed to be used as a substitute for butter, contrary  
3 to the provisions of this Act, for the purpose of selling the same, or offer-  
4 ing the same for sale, shall be held to have possession of such property  
5 with intent to use it in violation of this Act.

Sec. 42. SALE OF PROCESS BUTTER NOT BRANDED PROHIBITED—No per-  
2 son, firm or corporation, agent or employee shall manufacture for sale, sell,  
3 offer or expose for sale, in this State any butter that is produced by taking  
4 original packing stock butter, or other butter, or both, and melting same  
5 so that the butter fat can be drawn off or extracted, then mixing the said  
6 butter fat with skimmed milk, or milk, or cream, or other milk product, and  
7 rechurning or reworking the said mixture, or that produced by any process  
8 that is commonly known as boiled, process or renovated butter, unless the  
9 same is branded or marked as provided in section forty-three of this Act.



Sec. 43. PROCESS BUTTER—HOW BRANDED—No person, firm, corporation, agent or employee shall sell, offer or expose for sale, or deliver to a purchaser, any boiled, process or renovated butter as defined in section forty-two of this Act, unless the words, “Renovated Butter,” shall be plainly branded with Gothic or bold face letters at least three-fourths of an inch in length on the top and sides of each tub, or box, or pail, or other kind of case or package, or on the wrapper of prints or rolls in which it is put up. If such butter is exposed for sale uncovered, or not in a case or package, a placard containing the label so printed shall be attached to the mass of butter in such a manner as to be easily seen and read by the purchaser. The branding or marking of all packages shall be in the English language, and in a conspicuous place, so as to be easily seen and read by the purchaser.

Sec. 44. PERSONS SELLING PROCESS BUTTER TO INFORM PURCHASER—It shall be unlawful to sell or offer for sale any “renovated” or “process” butter as herein defined without informing the purchaser thereof, or the person or persons to whom the same is offered for sale, that the substance sold or offered for sale is “process” or “renovated” butter.

Sec. 45. COMMISSIONER TO FURNISH BLANKS TO CREAMERIES, CONDENSARIES AND CHEESE FACTORIES FOR STATISTICAL INFORMATION—The Commissioner shall provide blanks which shall be furnished to all proprietors or managers of creameries, condensaries and cheese factories within the State for the purpose of making a report of the amount of milk and dairy goods handled, and embodying such other statistical information as the Commissioner may require; and all owners or managers of said creameries, condensaries and cheese factories, shall, on the first day of November of



9 each year, send to the State Food Commissioner a full and accurate re-  
10 port of the amount of business done during the year, including the statis-  
11 tical information required by said Commissioner. Any person failing or re-  
12 fusing to furnish the information requested in this section shall be subject to  
13 the penalties hereinafter provided.

Sec. 46. ILLEGAL FOODS TO BE SEIZED—It shall be the duty of said  
2 Commissioner, Assistant Commissioner, Inspectors and Agents, at any and  
3 all times, to seize and take possession of any and all food and dairy products,  
4 or substitutes therefor, or imitation thereof, kept for sale or held in posses-  
5 sion under control contrary to the provisions of this Act, or other laws which  
6 now exist, or may hereafter be enacted. Such seizure may be had without  
7 a warrant and said Commissioner, Assistant Commissioner' and all Inspectors  
8 and Agents appointed pursuant to law are hereby given full power and  
9 authority of "policemen." Any court having jurisdiction, upon receiving  
10 proof of probable cause for believing in the concealment of any food or  
11 dairy products or substitutes therefor, or imitation thereof, kept for sale  
12 or for a purpose, or had in possession or under control, contrary to the  
13 provisions of this Act, or other laws which now exist or may be here-  
14 after enacted, shall issue a search warrant and cause a search to be made in  
15 any place therefor, and to that end may cause any building, enclosure,  
16 wagon or car to be entered, and any apartment, chest, box, locker, tub,  
17 jar, crate, basket or package to be broken open and the contents there-  
18 of examined.

Sec. 47. SEARCH WARRANTS TO BE ISSUED FOR ILLEGAL FOOD—All war-  
2 rants issued pursuant to section forty-six hereof, shall be directed to the sheriff

3 or some constable of the county where such food or dairy product may be  
 4 supposed to be concealed, commanding such officer to search the house or  
 5 place where such food or dairy product, or substitutes therefor, or imitation  
 6 thereof, for which he is required to search, is believed to be concealed,  
 7 which place and the property to be searched for, shall be designated in the  
 8 warrant, and to bring such food or dairy product or substitute therefor or  
 9 imitation thereof, when found, and the person in whose possession the same  
 10 is found, before the magistrate who issued the warrant, or before some  
 11 other court or magistrate having jurisdiction of the case to be proceeded  
 12 against as hereinbefore provided for in section eleven of this Act.

Sec. 48. STATE'S ATTORNEY TO ASSIST—It shall be the duty of the State's  
 2 Attorney in any county of this State when called upon by the Commis-  
 3 sioner, or any of his Assistants, to render any legal assistance in his power  
 4 to execute the law and to prosecute cases arising under provisions of this Act.

Sec. 49. STATE BOARD OF HEALTH TO FURNISH SAMPLES — The State  
 2 Board of Health may submit to the Commissioner or any of his Assist-  
 3 ants samples of food or drink for examination or analysis, and shall receive  
 4 special reports showing the result of such examination or analysis.

Sec. 50. FOOD COMMISSIONER AND ASSISTANT TO CO-OPERATE WITH NA-  
 2 TIONAL OFFICIALS — The State Food Commissioner, or any other person ap-  
 3 pointed by him, is hereby authorized to furnish any information within  
 4 his knowledge or coming within his knowledge of any violation or violations  
 5 of the laws of the United States relative to the manufacture, sale or trans-  
 6 portation of adulterated or misbranded or poisonous or deleterious foods,  
 7 liquors or dairy products to the persons having charge of the enforcement of

8 said laws, and he may furnish to such officers all information he may have rel-  
 9 ative to such violation, and in every manner co-operate with said officials in  
 10 the enforcement of said laws within the State of Illinois.

Sec. 51. STATE ANALYSTS SHALL NOT FURNISH CERTIFICATE OF PURITY

2 —It shall be unlawful for the State Analyst, or any Assistant State Analyst,  
 3 while he holds his office, to furnish to any individual, firm or corporation  
 4 any certificate as to the purity or excellence of any article manufactured or  
 5 sold by them to be used as food or in the preparation of food.

Sec. 52. USING SHIFT OR DEVICE—The use of any shift or device to evade

2 any of the provisions of this Act shall be deemed a violation of such provision  
 3 and punishable as herein provided.

Sec. 53. MASTER'S LIABILITY, ETC.—Whoever shall by himself or an-

2 other, either as principal, clerk or servant, directly or indirectly, violate  
 3 any of the provisions of this Act, shall be guilty of a misdemeanor and  
 4 punished as herein provided.

Sec. 54. PENALTIES, LICENSE FEES AND PROCEEDS PAID TO STATE TREAS-

2 URER—All fines, penalties, and all proceeds collected from goods confiscated  
 3 and sold under the provisions of this Act and other laws relating to dairy  
 4 and food products, and all license fees collected hereunder, shall be paid  
 5 into the State Treasury and placed to the credit of the department charged  
 6 with the enforcement of these laws, and shall be used in defraying the ex-  
 7 penses and salaries provided for and paid out in the manner hereinbefore  
 8 provided for the payment of salaries and expenses.

Sec. 55. LABEL—SIZE OF TYPE—The principal label on any pack-

age of food, as defined by this Act, shall be printed in English with or  
without the foreign label in the language of the country where the product  
is produced or manufactured. The letters shall be either dark colored and  
on a light background or light colored on a dark background, and the size  
of type, if not otherwise described in this Act, shall be not smaller than  
eight-point (brevier) caps: *Provided*, That in case the size of the package  
will not permit the use of eight-point cap type, the size of the type may be re-  
duced proportionately.

Sec. 56. FOOD COMMISSIONER TO MAKE RULES—The State Food Com-

missioner shall make uniform rules and regulations for carrying out the  
provisions of this Act, and shall have power to make rules and regulations for  
the analyzing and reporting the results thereof, of articles submitted for an-  
alysis by the State Board of Health, and regulating the analyzing and re-  
porting thereon of samples taken under any law or laws of the United States  
by any person appointed hereunder, or furnished by any officer or employee  
charged with the enforcement of the laws of the United States relative to  
the manufacture, sale or transportation of adulterated, misbranded, poisonous  
or deleterious foods, dairy products, or articles manufactured from dairy  
products, or liquors.

Sec. 57. SALE OF BULK GOODS No person, firm or corporation shall sell,

offer or expose for sale any fractional portion of an original package of  
a food substitute, compound, mixture or blend, unless the same shall be  
labeled or branded with the name of the food required by law, and in such  
manner as to be easily seen and read by the purchaser; or unless a placard



6 containing the label so printed in letters not less than one inch in height, to-  
7 gether with the words "Sold Here," shall be exposed in such a manner as to  
8 be easily seen and read by the purchaser.

Sec. 58. PENALTY—Any person convicted of violating any of the pro-  
2 visions of the foregoing Act shall, for the first offense, be punished by a  
3 fine in any sum not less than fifteen (15) dollars, and not more than one  
4 hundred (100) dollars, or by imprisonment in the county jail not exceeding thirty  
5 days, or by both such fine and imprisonment in the discretion of the Court,  
6 and for the second and each subsequent offense by a fine of not less than twen-  
7 ty-five (25) dollars and not more than two hundred (200) dollars, or by im-  
8 prisonment in the county jail not exceeding one year, or both in the discretion  
9 of the Court; or the fine above may be sued for and recovered before any  
10 justice of the peace or any other court of competent jurisdiction in the  
11 county where the offense shall have been committed, at the instance of the State  
12 Food Commissioner or any other person in the name of the People of the State  
13 of Illinois as plaintiff and shall be recovered in an action of debt.

Sec. 59. JUDGMENT — ISSUING CAPIAS—When the rendition of the judg-  
2 ment imposes a fine as provided in any of the sections of this Act, it shall  
3 be the duty of the Justice of the Peace or other Court rendering such judg-  
4 ment also to render a judgment for costs and such Justice of the Peace or  
5 other Court shall forthwith issue a capias or warrant of commitment against  
6 the body of the defendant, commanding that unless the said fine and costs  
7 be forthwith paid the defendant shall be committed to the jail of the county  
8 and the constable or other officer, to whose hands said capias or warrant shall  
9 come, shall in default of such payment arrest the defendant and commit him  
10 to the jail of the county, there to remain as provided in Section 171 of "An Act



11 to revise the law in relation to criminal jurisprudence," in force July 1,  
12 1895, unless such fines and costs shall sooner be paid.

Sec. 60. REPEAL—All acts and parts of acts inconsistent with this Act  
2 are hereby repealed.

1 Introduced by Mr. Parker, January 31, 1907.

2 Read by title, ordered printed and referred to Committee on Roads and Bridges.

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## A BILL

For an act to amend an Act entitled "An Act to authorize the construction and maintenance of gravel, rock, macadam or other hard roads," approved June 18, 1883, in force July 1, 1883, by inserting a new section to read as follows:

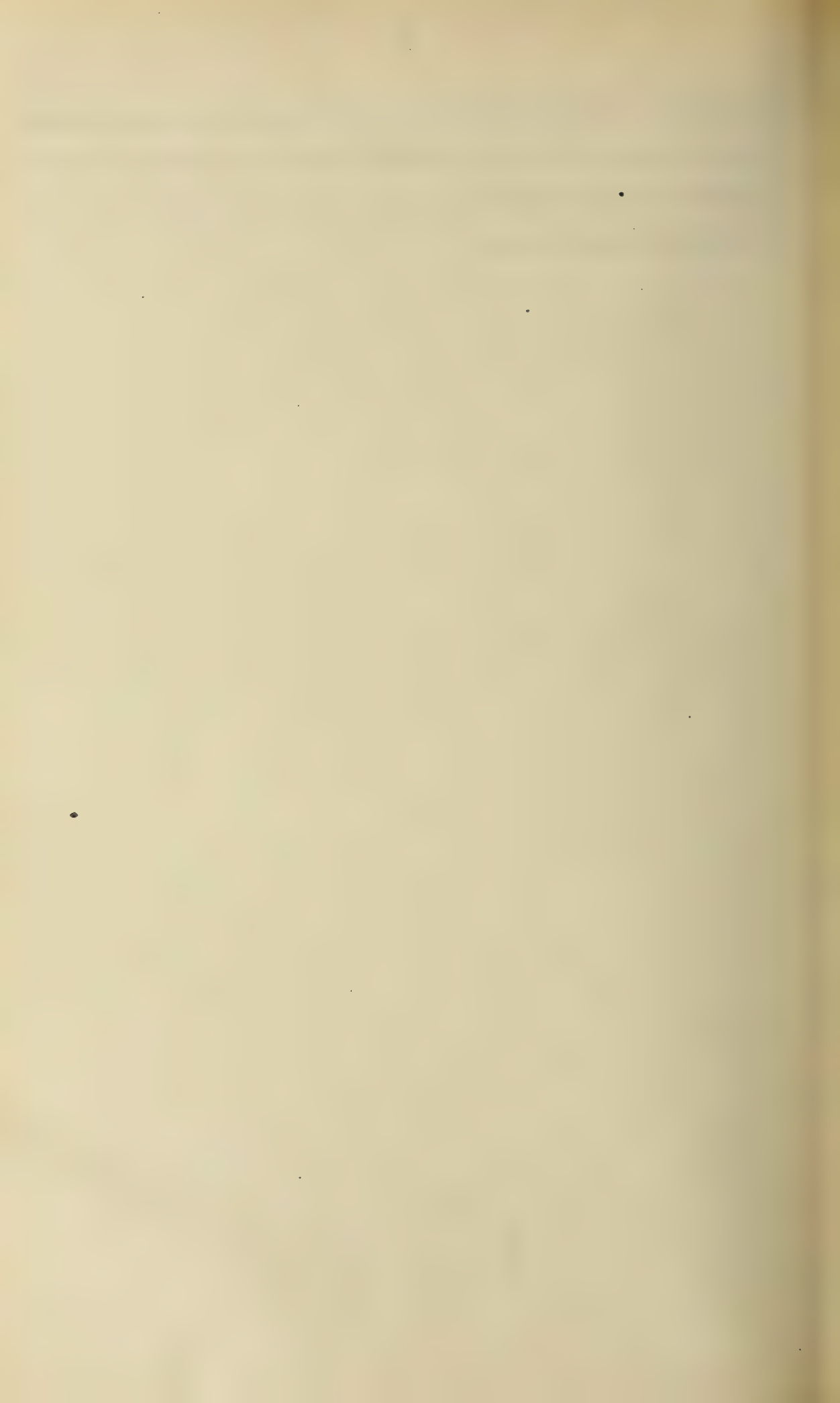
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SECTION 4 A. *Be it enacted by the People of the State of Illinois, represented*  
2 *in the General Assembly:* That an Act to authorize the construction and maintenance of gravel, rock, macadam, or other hard roads," approved June 18,  
3 1883, in force July 1, 1883, be amended by inserting in said Act a new section to  
4 be known as Section 4 A to read as follows:

Sec. 4 A. That in any township in counties under township organization and  
2 in any road district in counties not under township organization, wherein the  
3 people have at any time voted for a special tax for gravel, rock, macadam or other  
4 hard roads, as provided in sections one and two of this Act, if the commissioners  
5 desire to expend on hard roads in their town (or district) a greater sum than is

6 available to them from other sources, they or a majority of them may petition the  
 7 supervisor of the town, (or the county clerk of the county) to call a special elec-  
 8 tion to vote on the proposition, which shall be clearly stated in the petition, sub-  
 9 stantially as follows: "To borrow ..... dollars to construct and  
 10 maintain gravel, rock, macadam or other hard roads in the town (or district) of  
 11 ..... Which said petition shall be signed by said commissioners or a  
 12 majority of them in their official capacity and by at least twenty-five free holders  
 13 of said town (or district) and thereupon such petition shall be filed in the office of  
 14 the town clerk of such town (or the county clerk). Upon the filing of such petition,  
 15 the supervisor shall order the town clerk, by an instrument in writing to be signed  
 16 by him, to post up in ten of the most public places in said town, notices of such  
 17 special election (or in counties not under township organization the county clerk  
 18 shall post such notices in said district), which notice shall state the object, time  
 19 and place of meeting, the maximum sum to be borrowed, and the manner in which  
 20 the voting is to be had, which shall invariably be by ballot, and shall be "For  
 21 borrowing money to (here define the purpose)," or "Against borrowing money  
 22 (here define the purpose)." The special election shall be held at the place of the  
 23 last annual town (or district) election, by giving at least ten days' notice, and  
 24 returns thereof made in the same manner as other special town (or district) elec-  
 25 tions are now or may hereafter be provided by law, and if it shall appear that a  
 26 majority of the legal voters voting at said election shall be in favor of said prop-  
 27 osition the supervisor and town clerk (or the county clerk) acting under the direc-  
 28 tion of the commissioners of said town shall issue from time to time, as the work  
 29 progresses, a sufficient amount in the aggregate of the bonds of said town (or  
 30 district) for the purpose of building and maintaining gravel, rock, macadam or  
 31 other hard roads; said bonds to be of such denominations, bear such rate of  
 32 interest, not exceeding six per cent, upon such time, and be disposed of as the

33 necessities and conveniences of said town (or district) officers require: *Provided*,  
34 That said bonds shall not be sold or disposed of for less than their par value, and  
35 such town or district shall provide for the payment of such bonds and the interest  
36 thereon by appropriate taxation.





Adopted by the House, March 22, 1907.

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## AMENDMENT NO. 1.

Amend House Bill No. 164, in line 12, page 2, by striking out the words “twenty-five” and inserting therein “fifty per cent (50%) of the”, and in line 14, after the words in bracket (or the county clerk, in counties not under township organization) the following: “At least thirty days (30 days) prior to such election.”

## AMENDMENT NO. 2.

Amend in line 21, page 3, of the original bill by striking out the word “six” before the word “percent” and by inserting in the place thereof the word “five.”



- 
- 1 Introduced by Mr. Reynolds, January 31, 1907.
  - 2 Read by title, ordered printed and referred to Committee on Fish and Game.

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## A BILL

For an Act to amend an Act entitled, "An Act for the protection of game, wild fowl, and birds, and to repeal certain acts relating thereto," approved April 28, 1903, in force July 1, 1903, by adding thereto a section to be known as Section 25½.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*  
2 *General Assembly:* That an Act entitled, "An Act for the protection of game,  
3 wild fowl, and birds, and to repeal certain acts relating thereto," approved April  
4 28, 1903, in force July 1, 1903, be and the same is hereby amended by adding  
5 thereto a new section to be known as Section 25½ to read as follows:

Section 25½. It shall be unlawful for any county, city or village clerk, to issue  
2 a hunter's license to a minor under the age of fifteen years. If any county, city or  
3 village clerk shall knowingly issue a hunter's license to a minor under the age of  
4 fifteen years, he shall be deemed guilty of a misdemeanor, and upon conviction  
5 thereof shall be punished by a fine of not less than ten dollars, nor more than  
6 one hundred dollars for each and every offense.

Minors between the ages of fifteen and twenty-one years shall not be granted a hunter's license by any county, city or village clerk, until such minor so applying for such license shall have filed in the office of the clerk so issuing the license a bond payable to the People of the State of Illinois in the penal sum of one hundred dollars executed by such minor as principal and by his parent, guardian or person having the custody of said minor or the control of the property of said minor, as surety, conditioned to pay to all persons all damages that they may sustain either in person or property, by said minor while hunting under the provisions of said license. Said bond shall be substantially in the following form:

Know all men by these presents that we.....as principal, and.....as surety, are held and firmly bound unto the People of the State of Illinois in the penal sum of one hundred dollars for the payment of which well and truly to be made, we bind ourselves, our heirs, executors, and administrators, jointly and severally, firmly by these presents.

Witness our hands and seals at....., Illinois, this..... day of.....A. D. 19.....

The condition of the above obligation is such that,

WHEREAS, the above bounden....., a minor, has made application to.....clerk for a hunter's license, and

WHEREAS, the said minor is between the ages of fifteen and twenty-one years, to-wit, of the age of.....years;

Now, THEREFORE, if the above bounden....., a minor shall pay to all persons all damages that they may sustain either in person or property by said minor while hunting under the provisions of said license, then this obligation shall be void, otherwise to remain in full force and effect.

.....Seal.

.....Seal.

- 1 Introduced by Mr. Schumacher, January 31, 1907.
- 2 Read by title, ordered printed and referred to Committee on Fraternal Insurance.

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## A BILL

For an act to amend an act entitled “An Act to provide for the organization and management of Fraternal Beneficiary Societies for the purpose of furnishing life indemnity or pecuniary benefits to beneficiaries of deceased members or accident or permanent indemnity disability to members thereof; and to control such societies of this State and of other states doing business in this State, and providing and fixing the punishment for violation of the provisions thereof, and to repeal all laws now existing which conflict herewith. (Approved and in force June 22, 1893. s amended June 21, 1895, in force July 1, 1895, and as amended May 11, 1901, in force July 1, 1901.)

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That section 1 of an act entitled “An Act  
3 to provide for the organization and management of fraternal beneficiary socie-



ties for the purpose of furnishing life indemnity or pecuniary benefits to beneficiaries of deceased members or accident or permanent indemnity disability to members thereof; and to control such societies of this State and of other states doing business in this State, and providing and fixing the punishment for violation of the provisions thereof, and to repeal all laws now existing which conflict herewith, (approved and in force June 22, 1893. As amended June 21, 1895; in force July 1, 1895. and as amended May 11, 1901; in force July 1, 1901), be amended so as to read as follows:

A fraternal beneficiary society is hereby declared to be a corporation, society or association formed, organized or carried on for the sole benefit of its members and their beneficiaries, and not for profit. Each society shall have a lodge system, with ritualistic form of work and representative form of government, and may make provisions for the payment of benefits in case of disability and death, or of either, resulting from either disease, accident or old age, of its members. *Every such society, corporation, order or association organized under the laws of this State, or doing business within this State, shall, on or before January 1, 1908, create, and after said date, at all times maintain a contingent reserve fund equal to at least the amount of its average death losses for three months, and in no event shall such contingent reserve fund be a less sum than the face value of the largest certificate for death benefit issued by such society, corporation, order or association: Provided, however, That the above requirements as to contingent reserve shall not apply to any society, corporation, order or association having already established and now maintaining a reserve greater than that required by the provisions hereof. Any such society, corporation, order or association may create, maintain and disburse a reserve fund in accordance with its constitution and by-laws in excess of the contingent reserve mentioned in the last*

paragraph herein. Any such reserve fund whether contingent or otherwise, shall represent certain prescribed accumulations or percentage retained for the benefit of its members or their beneficiaries, and no part thereof shall be used for expenses, nor for any purpose except the payment of death and disability claims: *Provided, however,* That public taxes accruing upon mortuary funds may be paid out of the same; the payment of such benefits in all cases being subject to compliance by the member with the contract rules and laws of society: *Provided,* The period in life at which payment of physical disability benefits on account of age may commence shall not be under seventy (70) years.

The fund from which the payments of such benefits shall be made, and the fund from which the expenses of such society shall be defrayed, shall be derived from assessments or dues collected from its members, and no society, corporation, order or association, or any officer thereof shall at any time, directly or indirectly, use any portion of the funds assessed for death benefits for expenses, and any society, corporation, order or association violating the provisions of this Act shall be subject to a penalty of not less than five hundred nor more than one thousand dollars, to be recovered in any court having jurisdiction thereof in the county in which the principal office of said society, corporation, order or association is situated, in an action in the name of the People of the State of Illinois, upon the relation of the Superintendent of Insurance, such penalty, when recovered, to be paid to the County Treasurer of the county in which such recovery is had.

The violation of the provisions of this Act by any officer of any such society, corporation, order or association, shall be, and the same is hereby declared to be a misdemeanor and shall be punishable by a fine of not less than twenty-

55 *five nor more than one hundred dollars, to be recovered as prescribed by the*  
56 *laws of the State of Illinois for the punishment of other misdemeanors.*

57       Payments of death benefits shall only be paid to the families, heirs, blood  
58 relations, affianced husband or affianced wife of, or to persons dependent upon  
59 the member: *Provided*, That a member having no wife or children living may,  
60 with the consent of the society, make a charitable institution his beneficiary:  
61 *Provided, however*, That societies formed to include only the membership of  
62 any religious denomination may be permitted to provide that benefits under  
63 their certificates of membership may be paid to religious or charitable institu-  
64 tions. The members of any religious denomination may incorporate under this  
65 Act, and shall only be required to have a lodge or branch system and a repre-  
66 sentative form of government.

67       Membership in such corporation shall be confined to the members of such  
68 religious organization. Commercial travelers shall also be allowed to incorpo-  
69 rate under the provisions of this Act, but membership of such incorporation shall  
70 be confined to those actively engaged as commercial travelers, and officers, buy-  
71 ers or sellers for corporations, associations and copartnerships or individuals,  
72 who employ commercial traveling men. Such Commercial Travelers' Incorpo-  
73 tion shall have a lodge or branch system and representative form of govern-  
74 ment. All such societies shall be governed by this Act, and shall be exempt  
75 from the provisions of all insurance laws in this State, and no law hereafter  
76 passed shall apply to them unless they be expressly designated therein: *Pro-*  
77 *vided*, That this Act shall not be construed to prevent any society having a su-  
78 preme lodge with separate jurisdiction, which by their law provides for a gen-  
79 eral relief or reserve fund, for making assessments to pay its pro rata share

80 of such relief or reserve fund, or from receiving their pro rata of any such  
81 fund.

Sec. 2. All laws and parts of laws and amendments thereto in conflict  
2 herewith are hereby repealed.





- 
- 1 Introduced by Mr. Schumacher, January 31, 1907.
  - 2 Read by title, ordered printed and referred to Committee on Fraternal Insurance.

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## A BILL

For an act to amend an act entitled, "An Act to provide for the organization and management of fraternal beneficiary societies for the purpose of furnishing life indemnity or pecuniary benefits to beneficiaries of deceased members of accident or permanent indemnity disability to members thereof; and to control such societies of this State and of other States doing business in this State, and providing and fixing the punishment for violation of the provisions thereof, and to repeal all laws now existing which conflict herewith (approved and in force June 22, 1893), by adding a section to be known as Section 4-a.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That an act entitled, "An Act to provide  
3 for the organization and management of fraternal beneficiary societies for the  
4 purpose of furnishing life indemnity or pecuniary benefits to beneficiaries of  
5 deceased members or accident or permanent indemnity disability to members

tion of the provisions thereof, and to repeal all laws now existing which con-  
t herewith (approved and in force June 22, 1893), be and the same is hereby  
ended by adding a section to be known as Section 4-a, as follows:

Sec. 4-a. It shall be the duty of the Insurance Superintendent to make or  
se to be made an examination of the condition and affairs of any society,  
poration, order or association doing business in this State under the provi-  
s of this Act, at least as often as once in two years, and all of the ex-  
es of such examination except the salaries or compensation of the ex-  
ers shall be paid by the society, corporation, order or association exam-  
upon proper vouchers showing the amount and nature of such ex-  
s furnished to such society, corporation, order or association by the In-  
e Superintendent or by such examiners, and that from and after January  
3, every such society, corporation, order or association organized under  
s of this State or doing business herein, shall annually publish its an-  
atement within thirty (30) days after the same has been filed in the office  
Insurance Superintendent, such publication to be made in the official  
ion or newspaper, of any such society, order, corporation or associa-  
l if such society, order, corporation or association has no official pub-  
then in a secular newspaper of general circulation published in the  
which such society, order, corporation or association has its principal

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Amendments to House Bill 167 adopted by the House April 4, 1907.

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AMENDMENT NO. 1.

Strike all of lines 1, 2 and 3, of the printed bill, and the word “of this act” in line 4 of the printed bill and insert in lieu thereof the following, “The Insurance Superintendent may make or cause to be made an examination of the condition and affairs of any society, corporation, order or association incorporated under the laws of this State or having its principal office in this State.”

AMENDMENT NO. 2.

In line 11 of the printed bill strike out the words “ or doing business herein.”

AMENDMENT NO. 3.

In line 18, page 2, of the printed bill add after the word “office” the following, “every such society, corporation, order or association not organized under the laws of this State but doing business herein under the provisions of this Act shall furnish to the Insurance Superintendent a certified copy of such an examination made by the proper authority of its own State at least once in every two years, if

requested, or oftener, if requested. In case of its failure to furnish said certified copy of examination on request, then the Insurance Superintendent may make, or cause to be made, an examination of any such society, corporation, order or association so failing as often as he may deem it necessary, the whole cost of such examination to be paid by the society, corporation, order or association so examined."

- 1 Introduced by Mr. Schumacher, January 31, 1907.
- 2 Read by title, ordered printed and referred to Committee on Fraternal Insurance.

## A BILL

For an act to regulate the consolidation or reinsurance of fraternal beneficiary societies.

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That it shall be lawful for any number  
3 of fraternal societies organized or hereafter to be organized or doing business  
4 under the laws of the State of Illinois, to consolidate or reinsure in the follow-  
5 ing manner:

Sec. 2. Before said consolidation or reinsurance shall take place, the art-  
2 icles of consolidation or reinsurance shall be submitted to the Supreme Lodge or  
3 governing body of each society, and if a two-thirds majority of the members  
4 of such Supreme Lodge or governing body of each of said societies shall agree  
5 to such articles of agreement, then the boards of directors or officers of such so-  
6 cieties are authorized to carry such agreement into effect: *Provided, however,*



7 That such articles of agreement shall be filed with the Insurance Superintendent  
8 of the State of Illinois and approved by him and shall be of no force or effect  
9 until so filed and approved.

Sec. 3. The articles of consolidation or reinsurance shall provide for the  
2 name of the society, which society so named under its existing charter shall as-  
3 sume all the outstanding obligations of the several societies agreeable to the laws  
4 and regulations in force for the organization of fraternal societies and subject to  
5 the constitution and by-laws of such society made pursuant to such laws.

Sec. 4. All laws and parts of laws in conflict herewith are hereby repealed.

- 
- 1 Introduced by Mr. Tindall, January 31, 1907.
  - 2 Read by title, ordered printed and referred to Committee on Appropriations.

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## A BILL

Making appropriations for the ordinary expenses of the Northern Illinois State Normal School, DeKalb.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*  
2 *General Assembly:* That there be and is hereby appropriated annually to the  
3 Northern Illinois State Normal School, DeKalb, for the two years beginning July  
4 1, 1907, for salaries, fuel, laboratories, library, repairs, care of grounds, supplies  
5 for domestic science department, supplies for manual training department, expenses  
6 of Board of Trustees, and for contingent expenses, the sum of \$66,000.00.

Sec. 2. The said appropriation shall be paid quarterly in advance and the  
2 Auditor of Public Accounts is hereby authorized and required to draw his warrant  
3 upon the State Treasurer for said sum so appropriated for ordinary expenses,  
4 quarterly, upon the order of the trustees of said institution, signed by the presi  
5 dent and attested by the secretary, with the corporate seal attached: *Provided,*  
6 That no part of said sum shall be due and payable to said institution until a de-

7 tailed statement of receipts from all sources, together with a detailed statement of  
8 the expenditures, accompanied by the original vouchers, is filed with the Auditor  
9 of Public Accounts, for all previous expenditures incurred, and said detailed state-  
10 ment of receipts and expenditures, shall show the balance on hand at the beginning  
11 of the period for which said statement is made, the total amount received and ex-  
12 pended, and the balance on hand at the close of the quarter for which the same is  
13 made.

- 1 Introduced by Mr. Tindall, January 31, 1907.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

Making appropriations to the Northern Illinois State Normal School, DeKalb.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in*  
2 *the General Assembly:* That the following sums be and are hereby appropriated  
3 to the Northern Illinois State Normal School, DeKalb, for the purposes herein  
4 stated, for the year beginning July 1, 1907:

5 For rebuilding stay wall.....	\$3,500
6 For completion of lake.....	500
7 For tree planting.....	500
8 For boiler for heating plant.....	2,000
9 For museum.....	1,000
10 For extension of manual training plant.....	500
11 Making an aggregate amount of.....	<u>\$8,000</u>

Sec. 2. The Auditor of Public Accounts is hereby authorized and required to  
2 draw his warrant upon the State Treasurer for the aforesaid sum of money upon

3 the order of the Board of Trustees of the said Illinois State Normal School, signed  
4 by the president and attested by the secretary of said Board, with the corporate  
5 seal of said institution attached, and approved by the Governor.



- 
- 1 Introduced by Mr. York, January 31, 1907.
  - 2 Read by title, ordered printed and referred to Committee on Insurance.

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## A BILL

For an act relating to the salaries of officers and agents of life insurance companies.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* That no domestic life insurance company  
3 shall pay any salary, compensation or emolument to any officer, trustee or  
4 director thereof, nor any salary, compensation or emolument amounting in any  
5 year to more than five thousand dollars to any person, firm or corporation un-  
6 less such payment be first authorized by a vote of the board of directors of such  
7 life insurance company. No such life insurance company shall make any agree-  
8 ment with any of its officers, trustees or salaried employees, whereby it agrees  
9 that for any services rendered or to be rendered he shall receive any salary,  
10 compensation or emolument that will extend beyond a period of twelve months  
11 from the date of such agreement; and no officer, director or trustee, who is paid  
12 a salary for his services of more than one hundred dollars per month, shall  
13 receive any other compensation or emolument.

*Provided*, That the limitation as to time contained herein shall not be construed as preventing a life insurance company from entering into contracts with its agents for the payment of renewal commissions. No such company shall grant any pension to any officer, director or trustee thereof or to any member of his family after his death.

Sec. 2. All acts and parts of acts inconsistent herewith are hereby repealed.

1 Introduced by Mr. Coyle, January 31, 1907.

2 Read by title, ordered printed and referred to Committee on Appropriations.

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## A BILL

For an Act to make an appropriation for the ordinary and other expenses of the Illinois State Normal University.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be and hereby is appropriated to the Illinois State Normal University, in addition to one-half interest of the college and seminary fund, which is hereby appropriated, the further sum of seventy thousand, one hundred, six and 44-100 dollars (\$70,106.44) per annum, for the two years beginning July 1, 1907, payable quarterly in advance, for the payment of salaries, for the expenses of the Board of Education, for ordinary repairs on buildings and heating plants, for the purchase of fuel, for additions to the library, for school apparatus, for furniture, for laboratory supplies, for care of the grounds and for incidental expenses.

For improvements, for enlargement of heating plant and extraordinary repairs upon the buildings of said Illinois State Normal University for the year beginning July 1, 1907, ten thousand dollars (\$10,000).

Sec. 2. The Auditor of Public Accounts is hereby authorized and required  
2 draw his warrant upon the Treasurer for the aforesaid sum of money, upon the  
3 order of the Board of Education of the State of Illinois, signed by the president  
4 and attested by the secretary of the said Board with corporate seal of said institution:  
5 *Provided*, That satisfactory vouchers in detail, approved by the Governor, shall  
6 be filed quarterly with the Auditor of Public Accounts for the expenditures ordi-  
7 nary and extraordinary of the preceding quarter, and that no part of the money  
8 herein appropriated shall be due and payable until such vouchers shall have been  
9 filed.

- 1 Introduced by Mr. Austin, February 5, 1907.
- 2 Read by title, ordered printed and referred to Committee on Civil Service.

---

## A BILL

For an act to regulate the civil service of counties.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly: Creation of Commission—Oath.—That*  
3 *in all counties of this State containing one hundred and fifty thousand or more*  
4 *inhabitants, there is hereby created and established a civil service commission,*  
5 *consisting of three persons, not more than two of whom shall be members of the*  
6 *same political party, at the time of appointment, whether said appointment be*  
7 *original or to fill vacancies. Said Commissioners shall hold no other lucrative*  
8 *office or employment under the United States, the State of Illinois, or any mu-*  
9 *nicipal corporation, or political division thereof. Each commissioner, before*  
10 *entering upon the duties of his office, shall take the oath prescribed by the Con-*  
11 *stitution of this State.*

Sec. 2. *Commissioners Appointed—Vacancies.—The president or chair-*  
2 *man, as the case may be, of the county board shall, within thirty days after this*



3 Act shall take effect, appoint three persons who shall constitute and be known  
 4 as the County Civil Service Commission, one for a term ending on the first Mon-  
 5 day of December, A. D. 1907, one for a term ending on the first Monday of Decem-  
 6 ber, A. D. 1908, and one for a term ending on the first Monday of December,  
 7 A. D. 1909, and until their respective successors are appointed and qualified,  
 8 and at the respective dates above named or as soon thereafter as practicable, the  
 9 president or chairman, as the case may be, shall appoint one person as the suc-  
 10 cessor of the commissioner whose term shall then expire, to serve as such com-  
 11 missioner for three years and until his successor is in like manner appointed  
 12 and qualified, and all appointments of commissioners thereafter, except to fill  
 13 vacancies, shall be for three years. Any vacancy in the office of civil service  
 14 commissioner shall be filled by appointment by the president or chairman, as the  
 15 case may be. Two members of said commission shall constitute a quorum.

Sec. 3. *Removal of Commissioners.*—The president or chairman of such  
 2 board, as the case may be, may remove any commissioner for incompetence, neg-  
 3 lect of duty or malfeasance in office: *Provided, however,* That at least five days  
 4 before such removal said president or chairman, as the case may be, shall give  
 5 written notice to the county board at a meeting thereof and to the commissioner  
 6 proposed to be removed, of his intention to remove such commissioner, together  
 7 with his reasons therefor.

Sec. 4. *Classification.*—Said Commissioner shall classify all the offices and  
 2 places of employment in such county with reference to the examinations herein-  
 3 after provided for, except those offices and places of employment exempted in  
 4 section five of this Act. The offices and places so classified by the commission  
 5 shall constitute the classified civil service of such county, and no appointments  
 6 to any of such offices or places shall be made, nor shall any person be employed

7 therein, except under and according to the rules hereinafter mentioned: *Pro-*  
 8 *vided, however,* That all attending physicians and surgeons, who serve without  
 9 compensation, in any public institution in such county devoted to the care and  
 10 treatment of the sick, poor and insane, and who are hereby made a part of the  
 11 classified service of such county, shall be appointed for a term of six years only,  
 12 and that the physicians and surgeons usually designated as internes, who are  
 13 also hereby made a part of the classified service of such county, shall be appoint-  
 14 ed for a term of eighteen months only: *And Provided, further,* That there may  
 15 also, at the discretion of such county board, be a consulting staff of physicians  
 16 and surgeons, which staff shall be appointed by the president or chairman, as the  
 17 case may be, subject to the approval of such county board, and that such county  
 18 board in its discretion may contract with any training school of recognized stand-  
 19 ing for the nursing of any or all of the sick, poor and insane of such county.

Sec. 5. *Exemptions from the Classified Service.*—The following offices and  
 2 places of employment, in so far as there are or may be such in such counties,  
 3 shall not be included within the classified service, namely:

4 1. All elective offices.

5 2. One assistant sheriff, one assistant treasurer, one chief deputy for each  
 6 of the following officers: The coroner, the county clerk, the recorder of deeds,  
 7 each of the clerks of courts of record of such county; one chief clerk for the board  
 8 of assessors, one chief clerk for the board of review, and one private secretary  
 9 for the president or chairman of such county board, as the case may be.

10 3. Five assistants in the State's Attorney's office, engaged in the trial of  
 11 cases or in appeal work.

12        4. The county attorney, the superintendent of public service, the warden of  
 13 the county hospital, the superintendent of the insane asylum, the superintendent  
 14 of the poor house, the county agent, the county physician, the county architect in  
 15 counties having such officers or employees, who shall be appointed by the presi-  
 16 dent or chairman as the case may be, of such county board, with the advice and  
 17 consent of such county board.

18        5. The commission may in its discretion by special order signed by every  
 19 member of the commission, after a public hearing, exempt from the classified  
 20 service for a specified period of time, employees who habitually handle large  
 21 sums of money but not to exceed two such employees for any officer.

Sec. 6. *Rules.*—Said commission shall make rules to carry out the pur-  
 2 poses of this Act, and for examinations, appointments, transfers and removals in  
 3 accordance with its provisions, and the commission may, from time to time,  
 4 make changes in the rules.

Sec. 7. *Publication of Rules.*—All rules made as herein provided, and all  
 2 changes therein, shall forthwith be printed for distribution by said commission;  
 3 and the commission shall give notice of the place or places where said rules may  
 4 be obtained, by publication in one or more daily newspapers published in such  
 5 county, and in each such publication shall specify the date, not less than ten days  
 6 subsequent to the date of such publication, when said rules shall go into opera-  
 7 tion.

Sec. 8. *Examinations.*—All applicants for offices or places in said classified  
 2 service, except those mentioned in the fifth section of this Act, shall be subjected  
 3 to examination which shall be public, competitive and free to all citizens of the

4 United States, with specified limitations as to residence, age, sex, health, habits  
5 and moral character. The commission may conduct examinations wherever it  
6 may deem expedient. Such examinations shall be practical in their character,  
7 and shall relate to those matters which will fairly test the relative capacity of  
8 the persons examined to discharge the duties of the positions to which they seek  
9 to be appointed, and shall include tests of physical qualifications and health, and,  
10 when appropriate, of manual skill. No question in any examination shall relate  
11 to political or religious opinions or affiliations. The commission shall control  
12 all examinations and may whenever an examination is to take place designate a  
13 suitable number of persons, either in or not in the official service of the county, to  
14 be examiners, and it shall be the duty of such examiners, and if in the official ser-  
15 vice it shall be a part of their official duty without extra compensation, to conduct  
16 such examinations as the commission may direct, and to make return and report  
17 thereof to said commission, and the commission may at any time substitute any  
18 other person whether or not in such service in the place of any one so designat-  
19 ed, and the commission may themselves at any time act as such examiners and  
20 without appointing examiners. Examiners at any examination shall not all be  
21 members of the same political party. Said commission shall provide for and shall  
22 hold a sufficient number of examinations to provide a sufficient number of elig-  
23 ibles on the register for each class of positions or places of employment in the  
24 classified service; and if any place in the classified service becomes vacant to  
25 which there is no person eligible for appointment, the commission shall immedi-  
26 ately hold an examination for such place and repeat the same if necessary until  
27 the vacancy is filled in accordance with the provisions of this Act.

Sec. 9. *Notice of Examination.*—Notice of the time and place and general

2 scope of every examination shall be given by the commission by publication for



3 two weeks preceding such examination, in a daily newspaper of general circ-  
4 lation, published in the county, and such notice shall also be posted by the said  
5 commission in a conspicuous place in its office for two weeks before such exami-  
6 nation. Such further notice of examination may be given as the commission  
7 shall prescribe.

Sec. 10. *Registers.*—From the returns or reports of examiners, or from the  
2 examinations made by the commission, the commission shall prepare a register  
3 for each grade or class of positions in the said classified service of the persons  
4 who shall attain such minimum mark as may be fixed by the commission for any  
5 part of such examination and whose general average standing upon examination  
6 for such grade or class is not less than the minimum fixed by the rules of said  
7 commission, and who are otherwise eligible; and such persons shall take rank  
8 upon the register as candidates in the order of their relative excellence as de-  
9 termined by examination, without reference to priority of time of examination.  
10 Said commission may, in its discretion, cancel such portion of such register as  
11 has been in force for more than two years.

Sec. 11. *Appointments.*—Whenever a position classified under this Act is to  
2 be filled the appointing officer or officers shall make requisition upon said com-  
3 mission, and said commission shall certify to the appointing officer or officers the  
4 name and address of the candidate standing highest upon the register for the  
5 class or grade to which said position belongs, except that in case of laborers,  
6 where a choice by competition is impracticable, said commission may provide  
7 by its rules that the selection shall be made by lot from among those candidates  
8 proved fit by examination. Said appointing officer or officers shall notify said  
9 commission of each position to be filled separately, and shall fill such place by the



10 appointment of the person certified to him or them by said commission. In mak-  
 11 ing such certification, sex shall be disregarded, except where some statute, the  
 12 rules of said commission or the appointing officer or officers specifies sex.

13 The appointing officer for all positions under such county board, shall be the  
 14 president or chairman, as the case may be, of such county board.

Sec. 12. *Promotions.*—The commission shall, by its rules, provide for pro-  
 2 motions in such classified service, and shall provide that vacancies shall be filled  
 3 by promotion, in all cases where, in the judgment of the commission, it will be  
 4 for the best interests of the service to fill such vacancy. If, in the judgment of  
 5 the commission, it is not for the best interests of the service to fill such vacan-  
 6 cy by promotion, then such vacancy shall be filled by an original entrance exam-  
 7 ination. All examinations for promotion shall be limited to such members of  
 8 the next lower rank or grade as desire to submit themselves to such examination.  
 9 The method of examination and the rules governing the same and the method of  
 10 certifying in promotion shall be the same as provided for applicants for original  
 11 appointment.

Sec. 13. *Transfers.*—The Commission may by its rules provide for trans-  
 12 fers of employees in the classified service from positions in one office or depart-  
 3 ment to positions of the same class and grade in another office or department.

Sec. 14. *Removals, Reductions and Suspensions.*—No officer or employee  
 2 in the classified service who holds his position under the provisions of this Act,  
 3 shall be removed from the classified service or reduced in grade or compensation  
 4 by the appointing power, except as hereinafter provided.

5 Whenever it will promote the efficiency of the service, removals from the  
6 classified service or reductions in grade or compensation, or both, may be made  
7 in any department of such service by the appointing power in the manner fol-  
8 lowing: The person sought to be removed shall be served with a copy of the  
9 order of removal and notice of suspension from such service, and also written  
10 specifications; and such person shall have not less than three nor more than  
11 seven days to answer the same in writing. A copy of the order, specifications  
12 and answer, if any, shall be filed with the commission, which shall promptly ap-  
13 prove or disapprove of such order. Said commission may in its discretion inves-  
14 tigate any removal or reduction, and shall investigate any such case which it has  
15 reason to believe has not been made for the purpose and in the manner herein  
16 provided. Such suspensions shall be without pay: *Provided, however,* That  
17 said commission in case of a disapproval may direct that pay shall be restored.

18 Reductions in grade or compensation, or both, shall be made in the like man-  
19 ner, as near as may be, but without suspension pending such approval or disap-  
20 proval. A copy of said papers in each case shall be made a part of the record  
21 of the division of the service in which the removal or reduction is made. No  
22 removal or reduction shall be effective if disproved by the commission. All  
23 decisions by said commission shall be final, and shall be certified to the appoint-  
24 ing officer and shall be forthwith enforced by such officer. Nothing in this Act  
25 shall limit the power of any officer to suspend a subordinate without pay for  
26 cause assigned in writing, a copy of which shall be delivered to such subordinate.  
27 Such suspension shall be for a reasonable period, not exceeding thirty days, and  
28 any suspension may be investigated by said commission. In the course of any  
29 investigation provided for in this section, each member of the commission shall  
30 have the power to administer oaths, and said commission shall have the power

31 to secure by its subpoena both the attendance and testimony of witnesses, and  
 32 the production of books and papers relevant to such investigation.

33 Nothing in this section shall be construed to require charges or investiga-  
 34 tions in the case of laborers.

35 No person appointed to any office or place of employment after the first  
 36 day of February, A. D. 1907, shall be retained in such office or place of employ-  
 37 ment after the first day of July, A. D. 1907, for a period longer than sixty days,  
 38 unless such person was appointed pursuant to the provisions of existing civil ser-  
 39 vice laws, or pursuant to the provisions of this Act, or unless such person was  
 40 appointed to an office or place of employment exempted in section five of this  
 41 Act.

Sec. 15. *Reports to Commission.*—Immediate notice in writing shall be  
 2 given by the appointing power to said commission of all appointments, perma-  
 3 nent or temporary, made in such classified service, and of all transfers, promo-  
 4 tions, reductions, resignations, suspensions or vacancies from any cause, or any  
 5 other changes, in such service and of the date thereof, and a record of the same  
 6 shall be kept by said commission. When any office or place of employment is  
 7 created or abolished, or the compensation attached thereto altered, the office or  
 8 board making such change shall immediately report it in writing to said commis-  
 9 sion.

Sec. 16. *Investigations.*—The commission shall from time to time make  
 2 such investigations as it may deem proper into the administration of the offices,  
 3 places of employment and institutions covered by this Act, and shall report its  
 4 findings and recommendations for the improvement of the service to the presi-

dent or chairman of the county board. The commission shall also supervise and investigate the enforcement of this Act and of its rules, and the action of the examiners herein provided for, and the conduct and action of the appointees in said classified service, and may inquire as to the nature, tenure and compensation of all offices and places in the public service of the county. In the course of any such investigation, each commissioner shall have the power to administer oaths, and shall have the power to secure by subpoena the attendance and testimony of witnesses and the production of books and papers relevant to such investigations.

Sec. 17. *Reports of Commission.*—Said commission shall, on or before the first Monday of December of each year, make to the president or chairman for transmission to such county board a report showing its own action, the rules in force, the practical effects thereof, and any suggestions it may approve for the more effectual accomplishment of the purposes of this Act. The president or chairman may require a report from said commission at any time.

Sec. 18. *Officers.*—The commission shall select one of its own number to act as chairman and one as secretary. The secretary shall keep the minutes of its proceedings, preserve all reports made to it, keep a record of all examinations held under its direction, and perform such other duties as the commission shall require.

Sec. 19. *Officers to Aid—Rooms.*—All officers of said county shall aid said commission in all proper ways in carrying out the provisions of this Act, and shall allow the reasonable use of public buildings for holding such examinations. The county board shall cause suitable rooms to be provided for said commission at the expense of said county.



Sec. 20. *Salaries and Expenses.*—Each of said commissioners shall receive  
 2 a salary of not less than three thousand dollars a year.

3 A sufficient sum of money shall be appropriated each year by the county  
 4 board to carry out the provisions of this Act; and the county board shall allow  
 5 to said commission such clerical help and such sums to operate and maintain  
 6 said office as shall be necessary, and the compensation of such clerical help and  
 7 such sums allowed shall be paid by the county as other county charges. If the  
 8 board shall have already made the annual appropriation for county purposes  
 9 for the current fiscal year, the board is authorized and required to pay the sal-  
 10 aries and expenses of the commission for such fiscal year out of the moneys ap-  
 11 propriated for contingent purposes by said board.

Sec. 21. *Frauds Prohibited.*—No person or officer shall wilfully or cor-  
 2 ruptly, by himself or in co-operation with any one or more other persons, defeat,  
 3 deceive or obstruct any person in respect to his or her right of examination, or  
 4 corruptly or falsely mark, grade, estimate or report upon the examination or  
 5 proper standing of any person examined hereunder, or aid in so doing, or wil-  
 6 fully or corruptly make any false representation concerning the same or con-  
 7 cerning the person examined, or wilfully or corruptly furnish to any person  
 8 any special or secret information for the purpose of improving or injuring the  
 9 prospects or chances of any person so examined, or to be examined, being em-  
 10 ployed or promoted.

Sec. 22. *False Representations Prohibited.*—No applicant for examination  
 2 for any office or place of employment in said classified service shall wilfully or  
 3 corruptly, by himself or in co-operation with one or more other persons de-  
 4 ceive the said commission with reference to his identity, or wilfully or corrupt-



ly make false representations in his applications for such examinations, or commit any fraud for the purpose of improving his prospects or chances in such examination.

Sec. 23. *No Officer to Solicit or Receive Political Contributions.*—No officer or employee in the classified service of said county, or named in the fifth section of this Act, shall solicit, orally, or by letter, or receive, or be in any manner concerned in soliciting or receiving any assessments, subscriptions or contributions for any party or political purposes whatever.

Sec. 24. *No Person to Solicit Political Contributions from Officers or Employees.*—No person shall solicit, orally or by letter, or be in any manner concerned in soliciting any assessment, contribution or payment, for any party or for any political purpose whatever, from any officer or employee in the classified service of said county, or named in the fifth section of this Act.

Sec. 25.—*Assessments and Contributions in Public Offices Forbidden.*—No person shall, in any room or building occupied for the discharge of official duties by an officer or employee in the classified service of said county, or named in the fifth section of this Act, solicit, orally or by written communication delivered therein or in any other manner receive any contribution of money or other thing of value, for any party or political purpose whatever; and no officer, agent, clerk or employee in the classified service of said county, or named in the fifth section of this Act, who may have charge or control of any such room or building, shall permit any person to enter the same for the purpose of therein soliciting or delivering written solicitations for, or receiving or giving notice of any political assessment.

Sec. 26. *Abuse of Official Influence. Prohibited.*—No officer or employee in  
 2 said classified service, or named in the fifth section of this Act, shall discharge  
 3 or degrade or promote, or in any manner change the official rank or compensa-  
 4 tion of any other officer or employee, or promise or threaten or attempt to do  
 5 so, for giving or withholding or neglecting to make any contribution of money  
 6 or other valuable thing for any party or political purpose or for refusal or neg-  
 7 lect to render any party or political service.

Sec. 27. *Payment for Place Prohibited.*—No applicant for appointment in  
 2 said classified service, or to a position named in the fifth section of this Act,  
 3 shall pay or promise to pay, either directly or indirectly, any money or other  
 4 valuable thing to any person whatever for or on account of his appointment,  
 5 or proposed appointment, and no officer or employee in said classified serv-  
 6 ice, or named in section five of this Act shall pay or promise to pay, either  
 7 directly or indirectly, any money or other valuable thing, to any person, what-  
 8 ever, for or on account of his promotion or proposed promotion.

Sec. 28. *Recommendation in Consideration of Political Service Prohibited.*  
 2 —No applicant for appointment or promotion in the classified service shall ask  
 3 for or receive a recommendation or assistance from any officer or employee in said  
 4 service, or from any person in consideration of any political service to be  
 5 rendered to or for such person or for the promotion of such person to any office  
 6 or appointment.

Sec. 29. *Abuse of Political Influence Prohibited.*—No person who holds any  
 2 public office, or who has been nominated for, or who seeks a nomination or ap-  
 3 pointment to any public office, shall corruptly use or promise to use, either  
 4 directly or indirectly, any official authority or influence in order to secure or

aid any person in securing for himself or for another any office or public employment, or any nomination, confirmation, promotion or increase of salary as a reward for political influence or service.

*Sec. 30. Appointments and Removal to Be Certified to the Comptroller.—*

The commissioner shall certify to the county clerk or other auditing officer all appointments to offices and places in the classified service, and all vacancies occurring therein, whether by dismissal, resignation or death, and all decisions of the commission under the provisions of the fourteenth section of this Act.

*Sec. 31. Payment Only After Certification.—*No county clerk, comptroller, treasurer, paymaster or auditing officer of such county shall approve the payment of, or be in any manner concerned in paying, any salary or wage to any person for services as an officer or employee in the public service covered by this Act, unless an estimate, payroll or account for such salary or wage, containing the names of the persons to be paid and a statement of the amount to be paid, and the matter on account of which the same is to be paid, shall be filed with him, bearing the certificates of said commission that the persons named in such estimate, payroll or account have been appointed or employed in pursuance of law and of rules made in pursuance of this Act.

*Sec. 32. Compelling Testimony of Witnesses—Production of Books and*

*Papers.*—Any person who shall be served with a subpoena to appear and testify, or to produce books and papers, issued by the commission or by any commissioners, or by any board or person acting under the orders of the commission in the course of an investigation conducted, under any provision of this Act, and who shall refuse or neglect to appear or testify, or to produce books and papers relevant to said investigation, as commanded in such subpoena, shall be guilty of a

8 misdemeanor, and shall, on conviction, be punished as provided in the thirty-  
 9 third section of this Act. The fees of witnesses for attendance and travel shall  
 10 be the same as the fees of witnesses before the circuit court, and shall be paid  
 11 from the appropriation for the expenses of the commission, and any circuit court  
 12 or any judge thereof, either in term time or vacation, upon application of any  
 13 such commissioner or officer or board, may, in his discretion, compel the attend-  
 14 ance of witnesses, the production of books and papers, and giving of testimony  
 15 before the commission, or before any such commissioners, investigating board or  
 16 officer by attachment, or contempt, or otherwise, in the same manner as the pro-  
 17 duction of evidence may be compelled before said court. Every person who, hav-  
 18 ing taken an oath or made affirmation before a commissioner or officer appointed  
 19 by the commission authorized to administer oaths, shall swear or affirm wilfully,  
 20 corruptly and falsely, shall be guilty of perjury, and upon conviction shall be  
 21 punished accordingly.

Sec. 33. *Penalties.*—Any person who shall wilfully or through culpable neg-  
 2 ligence, violate any of the provisions of this Act, shall be guilty of a misde-  
 3 meanor, and shall, on conviction thereon be punished by a fine of not less than  
 4 \$50 and not exceeding \$1,000, or by imprisonment in the county jail for a term  
 5 not exceeding six months, or by both such fine and imprisonment, in the discre-  
 6 tion of the court.

Sec. 34. *Penalties -Removal from Office.* -If any person shall be convicted  
 2 under the last preceding section, any public office or place of public employment  
 3 which such person may hold, shall, by force of such conviction, be rendered va-  
 4 cant.

Sec. 35. *What Officers to Prosecute.*—Prosecutions for violations of this



2 Act may be instituted either by the Attorney General, the State's Attorney for  
3 the county in which the offense is alleged to have been committed, or by the  
4 commission acting through special counsel. Such suits shall be conducted and  
5 controlled by the prosecuting officers who institute them, unless they request the  
6 aid of other prosecuting officers.

Sec. 36. *Former Commissions.*—The civil service commissions hereby crea-  
2 ted shall supersede any existing county civil service commissions in all counties  
3 to which this Act applies, and all records of such superseded commissions shall  
4 be transferred to and become and remain records of the commissions hereby  
5 created, and all persons employed in the classified civil service under and by vir-  
6 tue of the rules of such superseded commissions and the law under which such  
7 superseded commissions acted shall be and remain within the classified civil ser-  
8 vice contemplated by this Act under the same rights and limitations as if such  
9 employees had been appointed to such classified civil service under the provis-  
10 ions of this Act.



Introduced by Mr. Behrens, February 5, 1907.

Read by title, ordered printed and referred to Committee on Railroads.

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## A BILL

For an act to amend an act entitled, "An Act to prevent extortion and unjust discrimination in the rates charged for the transportation of passengers and freights on railroads in this State, and to punish the same, and prescribe a mode of procedure and rules of evidence in relation thereto, and to repeal an act entitled, 'An Act to prevent unjust discriminations and extortions in the rates to be charged by the different railroads in this State for the transportation of freights on said roads,' approved April 7, A. D. 1871, approved May 2, 1873, in force July 1, 1873," by amending section two of said act and adding a new section thereto and amending the title of said act.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* That the title of an act entitled, "An Act  
3 to prevent extortion and unjust discrimination in the rates charged for the  
4 transportation of passengers and freights on railroads in this State and to

5 punish the same and prescribe a mode of procedure and rules of evidence  
 6 in relation thereto," and to repeal an act entitled, 'An Act to prevent unjust  
 7 discriminations and extortions in the rates to be charged by the different rail-  
 8 roads in this State for the transportation of freights on said roads,' ap-  
 9 proved April 7, A. D. 1871, approved May 2, 1875, in force July 1, 1873,  
 10 be, and the same is hereby amended to read as follows: "An Act to prevent  
 11 extortion and unjust discrimination in the rates charged for, and *in the serv-*  
 12 *ices rendered or required in*, the transportation of passengers and freights on  
 13 railroads in this State, and to punish the same, and prescribe a mode of pro-  
 14 cedure and rules of evidence in relation thereto, and to repeal an act en-  
 15 titled, 'An Act to prevent unjust discriminations and extortions in the rates  
 16 to be charged by the different railroads in this State for the transportation  
 17 of freights on said roads,' approved April 7, A. D. 1871, approved May 2,  
 18 1873, in force July 1, 1873."

Sec. 2. That section 2 of said act shall be and it is hereby amended  
 2 to read as follows: "Sec. 2. If any such railroad corporation aforesaid shall  
 3 make any unjust discrimination in *receiving, handling or delivering cars or*  
 4 *freights or* in its rates or charges of toll, or compensation for the transporta-  
 5 tion of passengers or freights of any description, or for the use and trans-  
 6 portation of any railroad car upon its said road, or upon any of the branches  
 7 thereof, or upon any railroads connected therewith, which it has the right,  
 8 license or permission to operate, control or use, within this State, the same  
 9 shall be deemed guilty of having violated the provisions of this Act, and upon  
 10 conviction thereof shall be dealt with as hereinafter provided."

Sec. 3. That there shall be added to said act a section to follow Sec. 7 there-  
 2 of and to be known as:

Sec. 7A. It shall also be the duty of the Railroad and Warehouse Commis-  
sioners, whenever complaint shall be filed with them by any shipper of freight  
in car load lots, that he is discriminated against by any railroad corpora-  
tion in the distribution or furnishing of cars for freights to be shipped by  
him over such railroad, to investigate such complaint and, after full investigation  
and giving all parties interested an opportunity to be heard, it may, in ad-  
dition to instituting prosecutions for such discrimination, prescribe and pub-  
lish rules for the future distribution or furnishing of cars for freight by such  
railroad corporation, and the violation of which rules thereafter by such  
railroad corporation, shall be held and taken to be, *prima facie*, an unjust  
discrimination within the meaning of this Act. Such Commissioners shall have  
power, and it shall be their duty, in prescribing such rules, unless the facts  
shall be agreed upon by all parties interested, to take evidence of witnesses, and  
require the production of records, books and papers, to the end that such  
rules shall secure full and equal or ratable distribution or furnishing of cars  
to all shippers in car load lots in each line of business shipping over the rail-  
road of such railroad corporation and affected by such complaint, based on the  
*bona fide* shipping capacity of said shippers as shown by their actual pro-  
duction. If, in the course of investigating any such complaint or complaints,  
it shall appear to said Commissioners that any general system of such discrimi-  
nation exists among the railroad corporations of this State, it may, upon  
like investigation and opportunity to be heard, in lieu of such rules as to the  
railroad corporation particularly complained against, make and publish like  
rules applicable to all railroads of this State, and to all shippers thereon in car  
load lots, for the securing of such full and equal or ratable distribution or fur-  
nishing of cars.



- 1 Introduced by Mr. Boulware, February 5, 1907.
- 2 Read by title, ordered printed and referred to Committee on County and Township  
Organization.

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## A BILL

For an Act to amend sections four and five of an Act entitled, "An Act to authorize county boards in counties under township organization to organize certain territory situated therein as a town," approved May 23, 1877, in force July 1, 1877, and as amended by act approved June 18, 1883, in force July 1, 1883.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections four and five of an act entitled "An Act to authorize county boards under township organization to organize certain territory situated therein as a town," (approved May 23, 1877, in force July 1, 1877, and as amended by act approved June 18, 1883, in force July 1, 1883), be and the same are hereby amended so as to read as follows:

Sec. 4. *All the powers vested in such town, including all the powers now vested by law in the Highway Commissioners of such town, shall be exercised by the City Council, except the appointment of poor master.*



Sec. 5. The City Council in such city and town, may by ordinance, provide that  
2 the officers of city and town clerk shall be united in the same person; that the  
3 officers of *city* treasurer and town collector shall be united in the same person; that  
4 the *office and* election of highway commissioners shall be discontinued. *The poor*  
5 *master in such city and town shall be appointed by the County Board.*

1 Introduced by Mr. Dysert, February 5, 1907.

2 Read by title, ordered printed and referred to Committee on Railroads.

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## A BILL

For an act relating to the liability of employers to their employees.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* That every railroad or other corporation,  
3 except municipal, operating in this State, shall be liable for damages for per-  
4 sonal injury suffered by any employe while in its service, the employe so injured  
5 being in the exercise of due care and diligence, in the following cases:

6 First. When such injury is suffered by reason of any defect in the condi-  
7 tion of ways, works, plant, tools and machinery connected with or in use in the  
8 business of such corporation, when such defect was the result of negligence on  
9 the part of the corporation, or some persons entrusted by it with the duty of  
10 keeping such way, works, plant, tools or machinery in proper condition.

11 Second. Where such injury resulted from the negligence of any person in  
12 the service of such corporation, to whose order or direction the injured em-  
13 ploye at the time of the injury was bound to conform, and did conform.

14 Third. Where such injury resulted from the act or omission of any person  
 15 done or made in obedience to any rule, regulation or by-law of such corporation,  
 16 or in obedience to the particular instructions given by any person delegated with  
 17 the authority of the corporation in that behalf. ✓

18 Fourth. Where such injury was caused by the negligence of any person in  
 19 the service of such corporation who has charge of any signal, telegraph office,  
 20 switch yard, shop, round-house, locomotive engine or train upon a railway, or  
 21 where such injury was caused by the negligence of any person, co-employee or fel-  
 22 low servant engaged in the same common service in any of the several depart-  
 23 ments of the service of any such corporation, the said person, co-employee or fel-  
 24 low servant, at the time acting in the place, and performing the duty of the cor-  
 25 poration in that behalf, and the person so injured, obeying or conforming to the  
 26 order of some superior at the time of such injury, having authority to direct;  
 27 but nothing herein shall be construed to abridge the liability of the corporation  
 28 under existing laws.

Sec. 2. The damages recoverable under this Act, shall be commensurate with  
 2 the injury sustained unless death results from such injury, when, in such case,  
 3 the action shall survive and be governed in all respects by the law now in force  
 4 as to such actions: *Provided*, That where any such person recovers a judgment  
 5 against a railroad or other corporation, and such corporation takes an appeal,  
 6 and, pending such appeal, the injured person dies, and the judgment rendered in  
 7 the court below be thereafter reversed, the right of action of such person shall  
 8 survive to his legal representative.

- 1 Introduced by Mr. Hollenbeck, February 5, 1907.
- 2 Read by title, ordered printed and referred to Committee on Roads and Bridges.

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## A BILL

For an act to amend sections 30 and 31 of an act entitled "An Act in regard to roads and bridges in counties under township organization, and to repeal an act and parts of acts therein named," approved June 23, 1883, in force July 1, 1883, as amended by act approved June 30, 1885, in force July 1, 1885, as amended by act approved June 17, 1887, in force July 1, 1887, as amended by act approved June 1, 1889, in force July 1, 1889, as amended by act approved June 3, 1889, in force July 1, 1889, as amended by act approved June 16, 1891, in force July 1, 1891, as amended by act approved June 17, 1891, in force July 1, 1891, as amended by act approved June 21, 1895, in force July 1, 1895, as amended by act approved April 12, 1899, in force July 1, 1899, as amended by act approved April 24, 1899, in force July 1, 1899, as amended by act approved May 10, 1901, in force July 1, 1901, as amended by act approved May 11, 1901, in force July 1, 1901, as amended by act approved May 14, 1903, in force July 1, 1903, as amended by act approved May 15, 1903, in force July 1, 1903, as amended by act approved May 13, 1905, in force July 1, 1905, as amended by act approved May 16, 1905, in force July 1, 1905.

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
*represented in the General Assembly:* That sections 30 and 31 of an act entitled  
 “An Act in regard to roads and bridges in counties under township organiza-  
 tion and to repeal an act and parts of acts therein named,” approved June 23,  
 1883, in force July 1, 1883, as amended by act approved June 30, 1885, in force  
 July 1, 1885, as amended by act approved June 17, 1887, in force July 1, 1887,  
 as amended by act approved June 1, 1889, in force July 1, 1889, as amended by  
 act approved June 3, 1889, in force July 1, 1889, as amended by act approved  
 June 16, 1891, in force July 1, 1891, as amended by act approved June 17, 1891,  
 in force July 1, 1891, as amended by act approved June 21, 1895, in force July 1,  
 1895, as amended by act approved April 12, 1899, in force July 1, 1899, as amend-  
 ed by act approved April 24, 1899, in force July 1, 1899, as amended by act ap-  
 proved May 10, 1901, in force July 1, 1901, as amended by act approved May 11,  
 1901, in force July 1, 1901, as amended by act approved May 14, 1903, in force  
 July 1, 1903, as amended by act approved May 15, 1903, in force July 1, 1903,  
 as amended by act approved May 13, 1905, in force July 1, 1905, as amended by  
 act approved May 16, 1905, in force July 1, 1905, be and the same is hereby  
 amended to read as follows:

Sec. 30. WIDTH OF ROAD—WHEN DEEMED VACATED—All public roads estab-  
 lished under this Act shall be of the width of *not less than forty feet nor more*  
*than sixty feet as the interests of the public permit, which width shall be specific-*  
*ally set forth in the petition as herein directed,* and roads called public and pri-  
 vate may be of the width in this Act provided. All public roads laid out as here-  
 in provided shall be opened within two years from the laying out of same. If not  
 opened within the time specified, the same shall be deemed to be vacated.



## Sec. 31. ALTERING—WIDENING—VACATING AND LAYING OUT ROADS—The

Commissioners may alter, widen or vacate any road, or lay out any new road, in their respective towns, when petitioned by any number of land owners, not less than twelve, *who shall reside in said town within two miles of the road to be altered, widened, vacated or laid out*, or two-thirds of the land owners residing in such town within two miles of the road to be altered, widened, vacated or laid out: *Provided*, Said Commissioners may, when in their judgment the interests of the public will permit, also narrow or reduce the width of public roads to not less than forty feet when the same is petitioned for by a majority of land owners along the line of said road so far as the same shall extend within the township, *or so far as said petition shall extend within the township*. When possible the land so vacated by reducing the width of the road shall be taken equally from both sides of the public highway. In cases of natural obstruction upon one side of the public highway or where the said road extends along the right of way of any railroad, river, or canal, the Commissioners are authorized to reduce the width of the road on one side only: *Provided further*, That said Commissioners may also narrow or reduce the street in town plats not incorporated, so as to leave the same not less than sixty feet in width, on petition and under like proceedings as herein provided in case of laying out, altering, widening, narrowing or vacating roads.



- 1 Introduced by Mr. Hope, February 5, 1907.
- 2 Read by title, ordered printed and referred to Committee on Manufactures.

## A BILL

For an act to prevent the manufacture or sale of adulterated or misbranded foods and drugs.

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That it shall be unlawful for any person  
3 to manufacture or sell or offer for sale any article of food or drug which is adul-  
4 terated or misbranded, within the meaning of this Act; and any person who  
5 shall violate any of the provisions of this section shall be guilty of a misde-  
6 meanor, and for each offense shall, upon conviction thereof, be fined not to ex-  
7 ceed           dollars or shall be sentenced to one year's imprisonment, or both  
8 such fine and imprisonment, in the discretion of the court, and for each sub-  
9 sequent offense and conviction thereof shall be fined not less than           dol-  
10 lars or sentenced to one year's imprisonment, or both such fine and imprison-  
11 ment, in the discretion of the court: *Provided,* That no article shall be deemed

12 misbranded or adulterated within the provisions of this Act when intended for  
13 export to any foreign country and prepared or packed according to the specifi-  
14 cations or directions of the foreign purchaser when no substance is used in the  
15 preparation or packing thereof in conflict with the laws of the foreign country  
16 to which said article is intended to be shipped; but if said article shall be in  
17 fact sold or offered for sale for domestic use or consumption, then this proviso  
18 shall not exempt said article from the operation of any of the other provisions  
19 of this Act.

Sec. 2. That the term "drug," as used in this Act, shall include all medi-  
2 cines and preparations recognized in the United States Pharmacopœia or  
3 National Formulary for internal or external use, and any substance or mixture  
4 of substances intended to be used for the cure, mitigation or prevention of dis-  
5 ease of either man or other animals. The term "food," as used herein, shall  
6 include all articles used for food, drink, confectionery, or condiment by man or  
7 other animals, whether simple, mixed, or compound.

Sec. 3. That for the purposes of this Act an article shall be deemed to be  
2 adulterated:

3 In case of drugs:

4 First. If, when a drug is sold under or by a name recognized in the United  
5 States Pharmacopœia or National Formulary, it differs from the standard of  
6 strength, quality, or purity, as determined by the test laid down in the United  
7 States Pharmacopœia or National Formulary official at the time of investiga-  
8 tion: *Provided*, That no drug defined in the United States Pharmacopœia or  
9 National Formulary shall be deemed to be adulterated under this provision if the

standard of strength, quality, or purity be plainly stated upon the bottle, box, or other container thereof although the standard may differ from that determined by the test laid down in the United States Pharmacopœia or National Formulary.

Second. If its strength or purity fall below the professed standard or quality under which it is sold.

In the case of confectionery:

If it contains terra alba, barytes, talc, chrome yellow, or other mineral substance or poisonous color or flavor, or other ingredient deleterious or detrimental to health, or any vinous, malt, or spirituous liquor or compound or narcotic drug.

In the case of food:

First. If any substance has been mixed and packed with it so as to reduce or lower or injuriously affect its quality or strength.

Second. If any substance has been substituted wholly or in part for the article.

Third. If any valuable constituent of the article has been wholly or in part abstracted.

Fourth. If it be mixed, colored, powdered, coated, or stained in a manner whereby damage or inferiority is concealed.

Fifth. If it contain any added poisonous or other added deleterious ingredient which may render such article injurious to health: *Provided*, That when in the preparation of food products for shipment they are preserved by any external application applied in such manner that the preservative is necessarily re-



31 moved mechanically, or by maceration in water, or otherwise, and directions for  
32 the removal of said preservative shall be printed on the covering or the package,  
33 the provisions of this Act shall be construed as applying only when said pro-  
34 ducts are ready for consumption.

35 Sixth. If it consists in whole or in part of a filthy, decomposed, or putrid ani-  
36 mal or vegetable substance, or any portion of an animal unfit for food, whether  
37 manufactured or not, or if it is the product of a diseased animal, or one that has  
38 died otherwise than by slaughter.

Sec. 4. That the term "misbranded," as used herein, shall apply to all  
2 drugs, or articles of food, or articles which enter into the composition of food  
3 the package or label of which shall bear any statement, design, or device re-  
4 garding such article, or the ingredients or substances contained therein which  
5 shall be false or misleading in any particular, and to any food or drug product  
6 which is falsely branded as to the state, territory, or country in which it is  
7 manufactured or produced.

8 That for the purposes of this Act an article shall also be deemed to be mis-  
9 branded:

10 In case of drugs:

11 First. If it be an imitation of or offered for sale under the name of an-  
12 other article.

13 Second. If the contents of the package as originally put up shall have been  
14 removed, in whole or in part, and other contents shall have been placed in such  
15 package, or if the package fail to bear a statement on the label of the quantity

or proportion of any alcohol, morphine, opium, cocaine, heroin, alpha or beta eucaine, chloroform, cannabis indica, chloral hydrate, or acetanilide, or any derivative or preparation of any such substances contained therein.

(*Provided*, That nothing in this paragraph shall be construed to apply to the dispensing of prescriptions written by regularly licensed practicing physicians, veterinary surgeons and dentists, and kept on file by the dispensing pharmacist, nor to such drugs as are recognized in the United States Pharmacopœia and the National Formulary, and which are sold under the name by which they are so recognized.)

In the case of food:

First. If it be an imitation of or offered for sale under the distinctive name of another article.

Second. If it be labeled or branded so as to deceive or mislead the purchaser, or purport to be a foreign product when not so, or if the contents of the package as originally put up shall have been removed in whole or in part and other contents shall have been placed in such package, or if it fail to bear a statement on the label of the quantity or proportion of any morphine, opium, cocaine, heroin, alpha or beta eucaine, chloroform, cannabis indica, chloral hydrate, or acetanilide, or any derivative or preparation of any of such substances contained therein.

Third. If in package form, and the contents are stated in terms of weight or measure, they are not plainly and correctly stated on the outside of the package.

39 Fourth. If the package containing it or its label shall bear any statement,  
 40 design, or device regarding the ingredients or the substances contained therein,  
 41 which statement, design, or device shall be false or misleading in any particular:  
 42 *Provided*, That an article of food which does not contain any added poisonous or  
 43 deleterious ingredients shall not be deemed to be adulterated or misbranded in  
 44 the following cases:

45 First. In the case of mixtures or compounds which may be now or from  
 46 time to time hereafter known as articles of food, under their own distinctive  
 47 names, and not an imitation of or offered for sale under the distinctive name of  
 48 another article, if the name be accompanied on the same label or brand with a  
 49 statement of the place where said article has been manufactured or produced.

50 Second. In the case of articles labeled, branded, or tagged so as to plainly  
 51 indicate that they are compounds, imitations, or blends, and the word "com-  
 52 pound," "imitation," or "blend," as the case may be, is plainly stated on the  
 53 package in which it is offered for sale: *Provided*, That the term blend as used  
 54 herein shall be construed to mean a mixture of like substances, not excluding  
 55 harmless coloring or flavoring ingredients used for the purpose of coloring and  
 56 flavoring only: *And Provided, further*, That nothing in this Act shall be con-  
 57 strued as requiring or compelling proprietors or manufacturers of proprietary  
 58 foods which contain no unwholesome added ingredients to disclose their trade  
 59 formulas, except in so far as the provisions of this Act may require to secure  
 60 freedom from adulteration or misbranding.

Sec. 5. That no dealer shall be prosecuted under the provisions of this  
 2 Act when he can establish a guaranty signed by the wholesaler, jobber, manu-  
 3 facturer, or other party residing in this State, from whom he purchases such

4 articles, to the effect that the same is not adulterated or misbranded within the  
5 meaning of this Act, designating it. Said guaranty, to afford protection, shall  
6 contain the name and address of the party or parties making the sale of such  
7 articles to such dealer, and in such case said party or parties shall be amenable  
8 to the prosecutions, fines, and other penalties which would attach, in due course,  
9 to the dealer under the provisions of this Act.

Sec. 6. It shall be the duty of the State Dairy and Food Commissioner to  
2 enforce all the provisions of this Act which relate to foods, and it shall be the  
3 duty of the State Board of Pharmacy to enforce all the provisions of this Act  
4 which relate to drugs.

Sec. 7. That the term "Territory" as used in this Act shall include the in-  
2 sular possessions of the United States. The word "person" as used in this Act  
3 shall be construed to import both the plural and the singular, as the case de-  
4 mands, and shall include corporations, companies, societies and associations.  
5 When construing and enforcing the provisions of this Act, the act, omission or  
6 failure of any officer, agent, or other person acting for or employed by any cor-  
7 poration, company, society, or association, within the scope of his employment or  
8 office, shall in every case, be also deemed to be the act, omission or failure of  
9 such corporation, company, society, or association as well as that of the person.

Sec. 8. This Act shall take effect one year from the date of its passage.





- 1 Introduced by Mr. Krape, February 5, 1907.
- 2 Read by title, ordered printed and referred to Committee on Elections.

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## A BILL

For an act to amend section 33 of an act entitled, "An Act in regard to elections, and to provide for filling vacancies in elective offices," approved April 3, 1872, in force July 1, 1872, as amended by an act approved June 22, 1885, and in force July 1, 1885, as amended by an act approved June 3, 1897, and in force July 3, 1897, as amended by an act approved May 15, 1903, and in force July 1, 1903, and as amended by an an act approved May 18, 1905, in force July 1, 1905.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That section 33 of act entitled, "An Act  
3 in regard to elections, and to provide for filling vacancies in elective offices,"  
4 approved April 3, 1872, in force July 1, 1872, as amended by an act approved  
5 June 22, 1885, and in force July 1, 1885, as amended by an act approved  
6 June 3, 1897, and in force July 3, 1897, as amended by an act approved

May 15, 1903, and in force July 1, 1903, and as amended by an act approved May 18, 1905, in force July 1, 1905, be and the same is hereby amended, so as to read as follows:

Sec. 33. In counties under township organization the county board shall, at its regular (or at a special) meeting in the month of June of each year, except when such judges and clerks are appointed by election commissioners, appoint in each election precinct or district in the county, three capable and discreet electors to be judges of election, and who shall possess the qualifications required by this Act for such judges: *Provided, That no officer or person holding any position in any party organization of any party having candidates to be voted for at such election, except town supervisor as hereinafter provided shall be eligible as judge of such election.* No more than two persons of the same political party shall be appointed judges in the same election district or undivided precinct. The town supervisor shall be appointed as one of such judges of election in the district or precinct in which he resides. The appointment of the remaining judges of election in the various election precincts and districts shall be made in the following manner: The members of the county board of supervisors belonging to the political party having the greatest number of votes upon said county board of supervisors shall select (and the county board shall appoint the selection so made) the majority of the election judges in each election district or precinct in each township in which said political party cast the highest number of votes at the preceding general election for Governor, and shall also select (and the county board shall appoint the selection made) the minority judge of election in each election district or precinct in each township in which said political party cast the second highest number of votes for Governor at the preceding general election. The

members of the county board of supervisors belonging to the political party having the second greatest number of votes upon said county board of supervisors shall select (and the county board shall appoint the selection so made) the majority of the election judges in each election district or precinct in each township in which said political party cast the highest number of votes at the preceding general election for Governor, and shall also select (and the county board shall appoint the selection so made) the minority election judge in the election district or precinct in each township in which said political party cast the second highest number of votes, at the preceding general election for Governor: *Provided*, That if the county board of supervisors shall be composed of members who belong to any one political party entirely, then, in that case, the chairman of the county central committee of the other political party casting the next highest number of votes in said county at the preceding general election is hereby empowered and authorized to make the selection of the minority judge of election who shall serve in each of the election districts or precincts in said county, and the members of the county board of supervisors are hereby directed to make the appointment of said minority judges of election for each election district or precinct as selected by the chairman of the above mentioned county central committee. *And, Provided, further*, That where the county board shall be equally divided and two political parties shall be represented by an equal number of members, the selection and appointment of such judges of election shall be made as in the case where there is a majority of members on the county board belonging to one political party. The members representing the political party casting the highest number of votes in a township at the preceding election for Governor shall select the majority judges of election in said township and the mem-

bers representing the political party that cast the second highest number of votes at the preceding election for Governor in said township shall select the minority judges of election in said township and the county board shall appoint the selection so made: *And, Provided, further,* That where a supervisor shall be elected in a township, said supervisor representing a political party that neither has the highest nor second highest number of votes for members on the said county board, the said supervisor shall be authorized and empowered to select a majority of the judges of election in the precincts or election districts in said township, such persons to represent the same political faith or belief as said supervisor, and the county board shall appoint the selection so made. The members of the county board representing the political party casting the second highest number of votes in said township at the preceding general election for Governor shall select the minority judges of election in said township and the county board shall appoint the selection so made. Such judges of elections shall hold their office for one year from their appointment and until their successors are duly appointed in the manner hereinbefore provided. The said county board of supervisors shall fill all vacancies in said office of judges of elections at any time, in the manner hereinbefore provided.



1 Introduced by Mr. Schermerhorn, February 5, 1907.

2 Read by title, ordered printed and referred to Committee on Insurance.

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## A BILL

For an Act to amend Section twenty-six (26) of an Act entitled, "An Act to organize and regulate the business of life insurance," approved March 25, 1869, in force July 1, 1869.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*  
2 *General Assembly:* That Section 26 of an Act entitled, "An Act to organize and  
3 regulate the business of life insurance, approved March 25, 1869, in force July 1,  
4 1869, be and the same is hereby amended to read as follows:

Section 26. The Insurance Superintendent shall annually prepare and print in  
2 a single document the information contained in the statements made under this  
3 Act, and shall communicate the same to the General Assembly. Every life insur-  
4 ance company incorporated in this State, or doing business within this State, shall,  
5 on or before the first day of March in each year, cause to be published at least  
6 twice in two daily newspapers of general circulation, the one printed in the city of



7 Chicago, the other in the city of Springfield, a copy of its statement of receipts  
8 and disbursements together with the amount and kind of its assets and liabilities,  
9 also the amount of insurance written and in force. And shall cause the certificate  
10 of each publisher signed by himself or his duly authorized agent, with a written  
11 or printed copy of each statement annexed, stating the dates of the papers con-  
12 taining the same, to be filed with the Insurance Department of the State of Illi-  
13 nois, which certificate shall be sufficient evidence of the publication herein pro-  
14 vided for.

- 1 Introduced by Mr. Schermerhorn, February 5, 1907.
- 2 Read by title, ordered printed and referred to Committee on Fraternal Insurance.

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## A BILL

For an Act to regulate the issuance of certificate of membership by fraternal beneficiary societies.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in*  
2 *the General Assembly:* That no fraternal beneficiary society organized within this  
3 State or authorized to do business within this State shall be permitted to issue  
4 any certificate of membership that does not show on the first page of such certifi-  
5 cate the amount payable in the case of the death of the member to whom the cer-  
6 tificate shall be issued.

Sec. 2. That when the amount to be paid as a death benefit varies from year  
2 to year the society issuing the certificate shall provide on the first page thereof a  
3 table showing plainly in figures the exact amount to be paid as a death benefit,  
4 in the event of the death of the member, each year respectively during which such  
5 certificate may be continued in force.

Sec. 3. Any person who shall act within this State as an officer, agent or  
2 otherwise for any society which shall fail, neglect or refuse to comply with, or shall  
3 violate any provision of this Act shall be guilty of a misdemeanor and upon convic-  
4 tion shall be fined in a sum not less than one hundred dollars (\$100.00) and not  
5 to exceed five hundred dollars (\$500.00).

Introduced by Mr. Templeman, February 5, 1907.

Read by title, ordered printed and referred to Committee on Education.

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## A BILL

For an Act to fix the minimum salary for Public School Teachers in the State.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in*  
2 *the General Assembly:* The daily wages of teachers for teaching in the public  
3 schools of the State shall not be less than two dollars (\$2.00) per day, when  
4 teaching by the day; and the monthly wages shall be not less than forty dollars  
5 (\$40.00) per month, when teaching by the school month which shall be the  
6 calendar month.

Sec. 2. It shall be lawful for school officers in order to comply with the provi-  
2 sions of section one of this Act to levy annually upon all the taxable property of  
3 the district, village or city an additional tax not to exceed two and one-half per  
4 cent, the valuation to be ascertained by the last assessment for the State and  
5 county taxes.

Sec. 3. All school officers shall comply with the provisions of this Act and shall pay the teachers employed by them no less than such an amount as shall be determined by section one of this Act. School officers who shall be adjudged guilty of violating any of the provisions of this Act shall be fined in any amount not exceeding one hundred dollars (\$100.00) for such offense. The State's Attorney of said county where this offense is committed is hereby authorized to bring action against any school officer, violating any of the provisions of this Act.



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- 1 Introduced by Mr. Abrahams, February 6, 1907.
  - 2 Read by title, ordered printed and referred to Committee on Sanitary Affairs.
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## A BILL

For an act to regulate the practice of barbering in the State of Illinois, to establish a state board of barber examiners, and to provide for the sanitary inspection of barber shops.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That within thirty days after the passage  
3 of this Act the Governor shall appoint a board of barber examiners for the State  
4 of Illinois. The board shall consist of four members, two of whom shall be  
5 master barbers and two of whom shall be journeymen barbers, and each of  
6 whom shall serve for a term of five years from the date when his appointment  
7 shall take effect, except that those first appointed shall serve as follows: One  
8 for one year, one for two years, one for three years, and one for four years,  
9 from the date when his appointment shall take effect respectively, and except in  
10 the case of an appointment to fill a vacancy. No person shall be eligible to ap-

11 pointment as a member of said board unless he shall have been continuously  
 12 for five years last past engaged in the occupation of a barber within this State.

Sec. 2. Said board so appointed, and its successors, shall be known by the  
 2 name "Board of Barber Examiners of the State of Illinois." Every person so  
 3 appointed to serve on said board shall receive a certificate of his appointment  
 4 from the Governor of the State of Illinois, and within ten days after receiving  
 5 such certificate, shall take, subscribe and file, in the office of the Secretary of  
 6 State, the constitutional oath of office.

Sec. 3. Each member of such board shall receive as compensation the sum  
 2 of five dollars for each day necessarily and actually engaged in the perform-  
 3 ance of his duty as a member of said board and three cents for each mile neces-  
 4 sarily and actually travelled by him in attending the meetings of said board,  
 5 which sum shall be paid out of any moneys in the hands of the treasurer of said  
 6 board.

Sec. 4. The first meeting of said board shall be held within thirty days  
 2 after their appointment as aforesaid, at a time and place to be fixed by a ma-  
 3 jority thereof, who shall give suitable notice thereof to all the members of said  
 4 board. At such meeting the board may adopt a common seal, and shall elect  
 5 from among its members a president, a secretary and a treasurer. The treas-  
 6 urer shall receive all fees paid for licenses or certificates, and shall keep a rec-  
 7 ord thereof and of all disbursements of said board, in a book to be kept for  
 8 that purpose. The treasurer shall not pay out or disburse any of the moneys  
 9 so received by him except upon the order of the board. Before entering upon  
 10 the performance of his duties the treasurer shall file with the State Comptroller  
 11 a bond with sufficient sureties to the People of the State of Illinois, in the penal

sum of ten thousand dollars, to be approved by the State Comptroller, conditioned that he will well and truly pay over all moneys received by him according to law and in compliance with the provisions of this Act, and that he will otherwise faithfully discharge the duties of his office.

Sec. 5. The Board of Examiners shall have the power to appoint sub boards of examiners, in such cities and villages of this State, as they in their judgment shall deem necessary. Said sub boards shall each consist of one master barber and one journeyman barber, and shall possess the same qualifications, receive the same compensation, and have the same power as the said Board of Examiners of the State of Illinois, while conducting the examinations hereinafter provided for. Said sub boards shall be subject at all times to the jurisdiction and control of the "Board of Barber Examiners of the State of Illinois," and shall serve during the pleasure of said State Board. The sub boards shall report the result of their examinations, without delay, to the State Board of Examiners, and the latter shall issue certificates of qualification to the persons who have qualified in said examinations.

Sec. 6. No person shall hereafter practice the occupation of a barber in this State, unless such person shall have first received a certificate of qualification from the Board of Examiners provided for in section one of this Act. For the purpose of examining applicants for certificates of qualification as barbers the said Board of Examiners shall appoint the times and places for holding examinations. Such appointment shall be made with due regard to the convenience of the applicants and the public service. Said State Board of Examiners shall prescribe the mode and manner of conducting such examinations and shall appoint two of its members, one of whom shall be a master barber and the other

10 a journeyman barber to conduct such examinations, or said board may designate a sub board to conduct such examinations. Said Board of Examiners is authorized to incur all expenses necessary to carry out, in a prompt and efficient manner, the provisions of this Act, and to pay the same out of any moneys in the hands of the treasurer of said board, except, however, said Board of Examiners shall not incur any expense or obligation for which the State of Illinois shall be liable.

Sec. 7. Each person on filing his application for examination shall pay to the treasurer of the said Board of Examiners the sum of five dollars, which sum shall be returned in case said applicant shall fail to pass said examination. Such payment shall constitute a part of the fund to pay the compensation and expenses of said board. The board shall keep a list of the names and places of business of all persons to whom certificates of qualification are granted under the provisions of this Act, in a book provided for that purpose, with the names arranged in alphabetical order, and said book shall be at all times open to public inspection.

Sec. 8. Every person now engaged in the business of a barber in this State, shall, within three months after the passage of this Act, file an affidavit with the secretary of said board, setting forth his or her name, place of business, post office address, the length of time he has been engaged in the business of a barber, and pay to the treasurer the sum of one dollar, for the certificate provided for in this Act.

Sec. 9. Said board shall furnish to each person to whom a certificate of registration is issued, a card or insignia bearing the seal of the board and the signatures of its president and secretary, certifying that the holder thereof is



entitled to practice the occupation of a barber in this State, and it shall be the duty of the holder of such card or insignia to post the same in a conspicuous place in the shop or place where he is working, where it may be readily seen by all persons whom he or she may serve.

Sec. 10. \* Said Board of Examiners shall have power to revoke any certificate of registration granted by it under this Act, for (a) conviction of felony; (b) habitual drunkenness for six months immediately preceding a charge duly made; (c) gross incompetence or (d) the use of unclean towels, cups or any other unclean utensils used by barbers which are liable to spread contagious or infectious diseases: *Provided, That* before any certificate shall be so revoked the holder thereof shall have notice in writing of the charge or charges against him or her, and shall at a day and place specified in said notice, at least ten days after the service thereof, be given a public hearing and full opportunity to produce testimony in his or her behalf or to confront the witnesses against him or her. Any person whose certificate has been so revoked, may, after the expiration of three months, apply to have the same regranted, and the same shall be regranted to him or her upon a satisfactory showing that the disqualification has ceased.

Sec. 11. The board shall cause to be made and filed with the State Comptroller, on or before the first day of December of each year, a report showing the receipts and disbursements of said board, and the balance in the hands of the treasurer of said board, together with a statement of the amount of such balance necessary to be held in the hands of the said treasurer to meet the expenses of the ensuing year. The Comptroller shall thereupon make and file in his office an estimate of the amount of such balance necessary to be held by said board for the purpose hereinbefore stated, which sum may be retained by said board for said



9 purpose and the balance of said surplus paid by the treasurer of said board  
10 into the State treasury.

Sec. 12. Upon the report of a member of the State Board of Examiners  
2 duly appointed as herein provided, or of a member of a sub board of examiners  
3 in any city or village of the State, that a barber shop is in an unsanitary condi-  
4 tion, said State Board of Examiners shall be empowered to call upon the State or  
5 local board of health, to declare such shop a public nuisance, and should the  
6 proprietor of said shop fail to abolish said nuisance within a period of thirty  
7 days after notice to do so by either the State or local board of health, the board  
8 of examiners provided for in this Act shall be empowered to call upon the afore-  
9 said board of health to abolish the aforementioned public nuisance.

Sec. 13. To shave, trim the beard, or cut the hair of any person for hire  
2 or reward, received by the person performing such service, or any other person,  
3 shall be construed as practicing the occupation of a barber within the meaning  
4 of this Act. This Act shall not in any way apply to or affect any person who is  
5 now occupied or working as a barber in this State, nor any person employed in  
6 a barber shop or an apprentice, except that a person so employed less than  
7 three years prior to the passage of this Act, shall be considered an apprentice,  
8 and at the expiration of such three years of such employment shall be subject  
9 to the provisions of this Act.

Sec. 14. Any person violating any of the provisions of this Act shall be  
2 deemed guilty of a misdemeanor, and upon conviction thereof shall be punished  
3 by a fine of not less than ten dollars or imprisonment in the county jail for a  
4 period of not less than thirty days, or by both such fine and imprisonment.

Sec. 15. This Act shall take effect ninety days after the passage thereof.

AMENDMENTS TO

45th Assem

House Bill No. 183

Apr. 1907

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Amendments to House Bill No. 183, adopted by the House April 10th, 1907.

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AMENDMENT NO. 1.

Amend House Bill No. 183, by striking out all of section fifteen (15) of said bill.

AMENDMENT NO. 2.

Amend House Bill No. 183, by striking out the word "three" in section 13, line 7, and inserting the word "two."

AMENDMENT NO. 3.

Amend House Bill No. 183, by changing section 15 in the printed bill to section 16, and insert the following as section 15:

"No person shall be certified as a qualified barber by said board,  
2 unless he or she shall have followed the occupation of a barber for not less than  
3 two years, or shall serve an actual apprenticeship as a barber for not less than two  
4 years, or have attended a barber school approved by said board, for a term of not  
5 less then seven months and has been regularly graduated therefrom."

## AMENDMENT NO. 4.

Amend House Bill No. 183, by striking out the word, "comptroller" wherever it may appear in said bill and insert in lieu thereof the word "auditor."

Introduced by Mr. Adkins, February 6, 1907.

Read by title and ordered printed by unanimous consent.

Read a first time and ordered to a second reading without reference.

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## A BILL

For an act to amend section one of an act entitled "An Act in relation to the control of public graveyards," approved May 29, 1879, in force July 1, 1879.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section one of an act entitled "An Act in relation to the control of public graveyards," approved May 29, 1879, in force July 1, 1879, be amended so as to read as follows:

SECTION 1. That public graveyards in this State, not under the control of any corporation, sole organization or society, and located within the limits of cities, villages, town, townships, or counties not under township organization, shall and may be controlled or vacated by the corporate authorities of such city, village, town, township or county, in such manner as such authorities may deem proper, and in the case of towns, such control may be vested in three trustees. Said trustees shall be elected by the voters of such town at the next annual town meeting

8 therein, and their term of office shall be one, two and three years respectively.  
9 Immediately after their election, said trustees shall determine by lot which of them  
10 shall hold the one year term of office, which the two year term and which the three  
11 year term. At each annual town meeting succeeding the next annual town meeting  
12 in such town, there shall be elected one cemetery trustee, whose term of office shall  
13 be for three years, or until his successor is elected and qualified.

*Whereas*, an emergency exists, this Act shall take effect from and after its passage.



1 Introduced by Mr. Allison, February 6, 1907.

2 Read by title, ordered printed and referred to Committee on Judiciary.

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## A BILL

For an Act providing for the protection of the people of the State of Illinois against injuries from or by automobiles, locomobiles, autotrucks and autocars and providing for punishment for violation of this Act.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in*  
2 *the General Assembly:* That there shall be attached to all automobiles, locomobiles,  
3 autocars, and autotrucks, with a horse-power as now or may hereafter be  
4 rated of 18 horse-power or more than 18 horse-power, or of a speed capacity of  
5 10 miles or more than 10 miles per hour, operated or driven upon any public  
6 highways, streets or boulevards, avenues and alleys in any village, town or city in  
7 this State, a good and sufficient fender made of material sufficiently strong to  
8 carry a weight of not less than 250 pounds, and of sufficient length to extend two  
9 inches outside of each front wheel and of a height not less than 18 inches and a  
10 base or bottom of not less than 16 inches. This fender or device shall not be  
11 higher from the ground than the extreme lowest part of the said automobile, loco-  
12 mobile, autocar or autotruck.

Sec. 2. Any person or persons found driving or riding in any automobile,  
2 locomobile, autocar or autotruck as described in Section 1 of this Act, without  
3 said machine being equipped with said fender attached thereto, may be arrested  
4 and tried in any court of competent jurisdiction, and if found guilty shall be fined  
5 in the sum of not less than twenty-five dollars (\$25.00) nor more than fifty dollars  
6 (\$50.00), and stand committed to the county jail of said county until said fine  
7 and costs are fully paid. One-half of said fine shall go to the person or persons  
8 causing the arrest and prosecution, and the other one-half shall be turned into the  
9 public school fund of the district where the offense was committed.

Introduced by Mr. Bush, February 6, 1907.

Read by title, ordered printed and referred to Committee on Education.

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## A BILL

For an act to amend an act entitled “An Act to amend section 202, article 8 of an act entitled ‘An Act to establish and maintain a system of free schools,’ approved May 21, 1889, and as the same is amended by an act approved February 24, 1898.”

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an act approved April 21, 1899, entitled “An Act to amend section 202, article 8 of an act entitled ‘An Act to establish and maintain a system of free schools,’ approved May 21, 1889, and as the same is amended by an act February 24, 1898,” is hereby amended so as to read as follows:

“For the purpose of establishing and supporting free schools for not less than six nor more than nine months in each year, and defraying all the expenses of the same of every description for the purpose of repairing and improving

10 school houses, of procuring furniture, fuel, libraries and apparatus, and for all  
 11 other necessary incidental expenses in each district, village or city, anything in  
 12 any special charter to the contrary notwithstanding, the directors of such dis-  
 13 trict and the authorities of such village or city shall be authorized to levy a tax  
 14 annually upon all the taxable property of the district, village or city not to ex-  
 15 ceed two and one-half per cent for educational and two and one-half per cent for  
 16 building purposes (except to pay indebtedness contracted previous to the pass-  
 17 age of this Act), the valuation to be ascertained by the last assessment for State  
 18 and county taxes: *Provided*, That in cities having a population exceeding one  
 19 hundred thousand inhabitants the board of education may establish and maintain  
 20 vacation schools and play grounds under such rules as it shall prescribe.

21 “*And Provided, further*, That nothing herein contained shall be held to repeal  
 22 or modify the limitations contained in section forty-nine (49) of an act entitled  
 23 ‘An Act for the assessment of property and providing the means therefor, and  
 24 to repeal a certain act therein named,’ approved February 25, 1898.”

25 *And Provided, further*, That the term incidental expenses as herein used shall  
 26 not include any sum expended or obligation incurred for the improvement, re-  
 27 pair or benefit of the school buildings or property, but all such sums and obli-  
 28 gations shall be paid from that portion of the tax levied for building purposes.

29 *And Provided, further*, That no election or petition shall be necessary to au-  
 30 thorize the levy of a tax for the ordinary repair and improvement of school build-  
 31 ings or grounds or for the payment of any special tax or special assessment  
 32 levied upon such property.

Amendments to House Bill No. 186, adopted by the House May 6, 1907.

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AMENDMENT NO. 1.

Amend House Bill No. 186 by striking out the title thereof and inserting the following: "A bill for an act to amend Section 202, Article 8, of an act entitled "An Act to establish and maintain a system of free schools," approved and in force May 21, 1889, as amended by an act approved April 21, 1899, in force July 1, 1899.

AMENDMENT NO. 2.

Amend House Bill No. 186 by striking out Section 1 of the printed bill all of line 2 after the words "General Assembly," and the succeeding four lines, and inserting in place thereof the following: "That Section 202, Article 8, of an act entitled, "An Act to establish and maintain a system of free schools," approved and in force May 21, 1889, as amended by an act approved April 21, 1899, in force July 1, 1899, be amended so as to read as follows:

AMENDMENT NO. 3.

Amend House Bill No. 186 by inserting after the word "that," in line 25 of the printed bill the following: "in municipalities of less than 100,000 inhabitants."





1 Introduced by Mr. Chipperfield, February 6, 1907.

2 Read by title, ordered printed and referred to Committee on Mines and Mining.

## DUTIES OF MINE MANAGERS AND MINERS.

### A BILL

For an act to amend sections 16, 19 and 28 of an act entitled, "An Act to revise the law in relation to coal mines and subjects relating thereto, and provide for the health and safety of persons employed therein, approved April 18, 1899, in force July 1, 1899."

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That sections 16, 19 and 28 of an act to  
3 revise the laws in relation to coal mines and subjects relating thereto, and pro-  
4 viding for the health and safety of persons employed therein, approved April  
5 18, 1899, in force July 1, 1899, be and the same is hereby amended so as to read  
6 as follows:

Sec. 16. TO INSTRUCT EMPLOYES, VISIT MINE, ETC.—(a) The mine manager  
2 shall instruct employes as to their respective duties and shall visit and examine

3 the various working places in the mine as often as practicable. He shall always  
 4 provide a sufficient supply of props, caps and timber delivered on the miners' cars  
 5 at the *working face* when demanded, as nearly as possible, in suitable lengths and  
 6 dimensions for the securing of the roof by the miners, and it shall be the duty of  
 7 the miner to properly prop and secure his place with material provided therefor.

8 VENTILATION—(b) It shall be the duty of the mine manager to see that cross-  
 9 cuts are made at proper distances apart to secure the best ventilation at the face  
 10 of all working places, and that all stoppings along airways are properly and  
 11 promptly built. He shall keep careful watch over all ventilating apparatus and  
 12 the air-currents in the mine, and in case of accident to fan or machinery by which  
 13 the currents are obstructed or stopped, he shall at once order the withdrawal of the  
 14 men and prohibit their return until thorough ventilation has been re-established.

15 AIR-CURRENTS AND OUTLET PASSAGE-WAYS—(c) He shall measure or cause to  
 16 be measured the air current with an anemometer at least once a week at the inlet  
 17 and outlet, and shall keep a record of such measurements for the information of  
 18 the inspector. Once a week he shall make a special examination of the roadways  
 19 leading to the escapement shaft or other opening for the safe exit of men to the  
 20 surface, and shall make a record of any obstructions to travel he may encounter  
 21 therein, together with the date of their removal.

22 HANDLING EXPLOSIVES—(d) He shall give special attention to and instructions  
 23 concerning the proper storage and handling of explosives in the mine, and con-  
 24 cerning the time and manner of placing and discharging the blasting shots. And  
 25 it shall be unlawful for any miner to fire shots except according to the rules of the  
 26 mine. In dusty mines he must see that all hauling roads are frequently and thor-  
 27 oughly sprinkled. He must also see that all dangerous places above and below are

properly marked, and that danger signals are displayed wherever they are required.

CARE OF ROPES, CAGES, ETC.—(e) The mine manager or superintendent must have special attention given to the condition of the hoisting ropes; they must be carefully and frequently scrutinized. Before the men are lowered in the morning the soundness of the ropes must be tested by hoisting the cages. He must also have the cages, safety catches, pumps, sumps and stables examined frequently; he must have the mine examined every morning by the mine examiner before the men are allowed to go to work, and know that the top man and bottom man are on duty, and that sufficient lights are maintained at the top and bottom landings when men are being hoisted and lowered.

EARLY AND LATE DUTY—(f) The mine manager or his agent shall be at his post at the mine when the men are lowered into the mine in the morning for work; he shall by some device keep a record of the number of men lowered either for a day or night shift, and he or his agent shall remain at night until all the men employed during the day shall have been hoisted out.

MAY HAVE ASSISTANTS—(g) In mines in which the works are so extensive that all the duties devolving on the mine manager cannot be discharged by one man, competent persons may be designated and appointed as assistants to the mine manager who shall exercise his functions, under his instructions.

Sec. 19. BY FANS OR OTHER MEANS—Throughout every coal mine there shall be maintained currents of fresh air sufficient for the health and safety of all men and animals employed therein, and such ventilation shall be produced by a fan, or some other artificial means.

5        AMOUNT OF AIR REQUIRED—(a) The quantity of air required to be kept in cir-  
 6        culation and passing a given point shall be not less than 100 cubic feet per minute  
 7        for each person and not less than 600 cubic feet per minute for each animal in the  
 8        mine, measured at the foot of the downcast, and this quantity may be increased at  
 9        the discretion of the inspector whenever in his judgment unusual conditions make  
 10       a stronger current necessary. Said currents shall be forced into every working  
 11       place throughout the mine, so that all parts of the same shall be reasonably free  
 12       from standing powder-smoke and deleterious air of every kind.

13       MEASUREMENTS—(b) The measurement of the currents of air shall be taken  
 14       with an anemometer at the foot of the downcast, at the foot of the upcast and at  
 15       the working face of each division or split of the air-current. And a record of such  
 16       measurements shall be made and preserved in the office, as elsewhere provided for  
 17       in this Act.

18       AIR CURRENTS TO BE SPLIT—(c) The main current of air shall be so split or  
 19       subdivided as to give a separate current of reasonably pure air to every 100 men  
 20       at work, and the inspector shall have authority to order separate currents for  
 21       smaller groups of men, if in his judgment special conditions make it necessary.

22       VENTILATION OF STABLE—(d) The air current for ventilating the stable shall  
 23       not pass into the intake air current for ventilating the working parts of the mine.

24       SELF CLOSING DOORS—(e) All permanent doors in mines used in guiding and  
 25       directing the ventilating currents shall be so hung and adjusted as to close auto-  
 26       matically.

27       TRAPPERS—(f) At all principal doorways through which cars are hauled an  
 28       attendant shall be employed for the purpose of opening and closing said door  
 29       when trips of cars are passing to and from the workings. Places for shelter



shall be provided at such doorways to protect the attendants from being injured by the cars while attending to their duties.

CROSS CUTS—(g) Cross cuts shall be made not more than sixty feet apart and no room shall be opened in advance of the *last cross cut*.

STOPPINGS—(h) When it becomes necessary to close cross cuts connecting the inlet and outlet air-courses in mines generating dangerous gases, the stoppings shall be built in a substantial manner with brick or other suitable building material laid in mortar or cement, if practicable, but in no case shall they be built of lumber, except for temporary purposes.

AUTHORITY OF INSPECTOR (i) Whenever the inspector shall find men working without sufficient air he shall at once give the manager or operator notice and a reasonable time in which to restore the current, and upon his or their refusal or neglect to act promptly, the inspector may order the endangered men out of the mine.

Sec. 28. TOP MAN AND BOTTOM MAN—(a) At every shaft operated by steam power, the operator must station at the top and at the bottom of such shaft a competent man charged with the duty of attending to signals, preserving order and enforcing rules governing the carriage of men on cages. Said top man and bottom man shall be at their respective posts of duty at least a half hour before the hoisting of coal begins in the morning, and remain for half an hour after hoisting ceases for the day.

LIGHTS ON LANDING—(b) Whenever the hoisting or lowering of men occurs before daylight or after dark, or when the landing at which men take or leave the cage is at all obscured by steam or otherwise, there must always be main-

11 tained at such landing a light sufficient to show the landing and surrounding  
12 objects distinctly. Likewise, as long as there are men underground in any mine  
13 the operator shall maintain a good and sufficient light at the bottom of the shaft  
14 thereto so that persons coming to the bottom may clearly discern the cage and  
15 objects in the vicinity.

16     SPEED OF CAGES AND OTHER REGULATIONS—(c) Cages on which men are rid-  
17 ing shall not be lifted nor lowered at a rate of speed greater than *four* hun-  
18 dred feet per minute. No person shall carry any tools, timber or other materials  
19 with him on a cage in motion, except for use in repairing the shaft and no one  
20 shall ride on a cage containing either a loaded or empty car. No cage having  
21 an unstable or self-dumping platform shall be used for the carriage of men or  
22 materials unless the same is provided with some convenient device by which  
23 said platform can be securely locked, and unless it is so locked whenever men  
24 or materials are being conveyed thereon. No coal shall be hoisted in any  
25 shaft while men are being lowered therein.

26     RIGHTS OF MEN TO COME OUT—(d) Whenever men who have finished their  
27 day's work or have been prevented from further work shall come to the bottom  
28 to be hoisted out, an empty cage shall be given them for that purpose, unless  
29 there is an available exit by slope or by stairway in an escapement shaft, and  
30 providing there is no coal at the bottom ready to be hoisted.

AMENDMENTS TO

**45th Assem.**

**HOUSE—No. 187**

**Apr. 1907**

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Amendments to House Bill No. 187, adopted by the House April 22, 1907.

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AMENDMENT NO. 1.

Amend House Bill No. 187 by striking out of Section 16, of the printed bill, commencing on line 3, all of the following words: "He shall always provide a sufficient supply of props, caps, and timber delivered on the miners' cars at the working face, when demanded, as nearly as possible in suitable lengths and dimensions for the securing of the roof by the miners, and it shall be the duty of the miner to properly prop and secure this place with material provided therefor," and insert in lieu thereof the following: "He shall always provide a sufficient supply of props, caps, and timber, when requested by the miner, delivered in the miners' place on pit cars or otherwise, not less than thirty (30) feet and not more than eighty (80) feet from the working face, as nearly as possible in suitable lengths and dimensions for the securing of the roof by the miners, and it shall be the duty of the miner to properly prop and secure his place with the material provided therefor. A demand of the mine manager or any driver in the entry where the miner is working shall be sufficient notice to the company of the demand for props, caps and timbers."

AMENDMENT NO. 2.

Amend House Bill No. 187 by striking out of line 17, page 6, of the printed bill, the word "four" and insert in lieu thereof the word "six."

The first of the four volumes of the  
History of the United States  
by George Catlin, published in 1845,  
is now in the hands of the  
British Museum. The second  
volume is in the hands of the  
Library of Congress. The third  
volume is in the hands of the  
National Archives. The fourth  
volume is in the hands of the  
National Library of Medicine.

George Catlin

George Catlin, Esq.,  
of the United States Army,  
has been appointed to the  
position of Surgeon-General.

Introduced by Mr. Chipperfield, February 6, 1907.

Read by title, ordered printed and referred to Committee on Insurance.

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## A BILL

For an act to require life insurance companies incorporated under the laws of the State of Illinois to file in the Insurance Department of the State of Illinois a list of all policy holders of such company or companies.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That every life insurance society, company, incorporation or organization licensed, organized or doing business under the laws of the State of Illinois shall be required to file in the Insurance Department of the State of Illinois, a full, true and correct list, showing the name of each and every policy holder insured in such company, the amount of such insurance, the date of the issuance of such policy and the number thereof, and the last known postoffice address of such policy holders, which list shall be filed annually on or before the first day of August, 1907, and of each year after the taking effect of this Act,



Sec. 2. Every such life insurance society, company, incorporation or organization failing to comply with the provisions of this Act shall forfeit and pay to the People of the State of Illinois, the sum of five thousand dollars, to be recovered in an appropriate action to be commenced by the Attorney General of the State of Illinois, and as a further penalty and punishment, such life insurance company shall be denied the right to transact business in the State of Illinois after such failure, until it shall have complied with the provisions of this Act.

Sec. 3. Any and all acts or parts of acts in conflict herewith are hereby repealed.

1 Introduced by Mr. Erby, February 6, 1907.

2 Read by title, ordered printed and referred to Committee on Municipal Corporations.

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## A BILL

For an act to amend section three (3) of an act entitled "An act to provide for the setting apart, formation and disbursement of a police pension fund in cities, villages and incorporated towns." Approved April 29, 1887, in force July 1, 1887, as amended by an act approved April 24, 1899, in force July 1, 1899, as amended by an act approved May 11, 1901, in force July 1, 1901, as amended by an act approved and in force May 16, 1903.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That section three (3) of an act entitled  
3 "An act to provide for the setting apart, formation and disbursement of a police  
4 pension fund in cities, villages and incorporated towns," approved April 29, 1887,  
5 in force July 1, 1887, as amended by an act approved April 24, 1899, in force  
6 July 1, 1899, as amended by an act approved May 11, 1901, in force July 1,

1901, as amended by an act approved and in force May 16, 1903, be amended so as to read as follows:

Sec. 2. Whenever any person, at the time of the taking effect of said act, to which this is an amendment, or thereafter, shall be duly appointed and sworn and have served for a period of twenty years or more upon the regularly constituted police force of such city, village or town of this State, subject to the provisions of this Act, or where the combined years of service of any person upon the police force and fire department, as aforesaid, of such city, village or town, shall aggregate twenty years or more, said board shall order and direct that such person, after becoming fifty years of age and his service on such police force shall have ceased, shall be paid a yearly pension equal to one-half the amount of salary attached to the rank which he may have held on said police force for one year immediately prior to the time of such retirement: *Provided, however,* The maximum of said pension shall not exceed the sum of \$900.00, and the minimum be not less than \$600.00 per annum; and after the death of such person pensioned by virtue of the above section of the act to which this is an amendment, or any acts amendatory thereof, his widow or child or children under sixteen years of age of any such pensioner who died prior to the taking effect of this amendment, shall hereafter be paid the pension herein provided for such deceased husband or father: But nothing herein contained shall warrant the payment of any annuity to any such widow after she shall have remarried: *And Provided, further,* That all police officers retired after twenty years' service on the police force of such city, village or town (or where the combined years of service of such officer upon the police and fire department shall aggregate twenty years or more) above the age of fifty years, now receiving a pension, shall receive the same pension now allowed them, and that the widow or child or children under sixteen years of age of any deceased pensioner, pensioned as aforesaid, shall receive the same pension heretofore received by such

26 deceased husband or father: *Provided*, That in no case shall said pension exceed  
27 the sum of \$900.00 per annum.

Sec. 3. WHEREAS, An emergency exists for the immediate taking effect of this  
2 Act, therefore it shall be in force from and after its passage.





Adopted by the House, March 20, 1907.

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## AMENDMENT NO. 1.

Amend House Bill 189 by inserting in line 1 of the printed bill after the word "Section" the figure "3" in lieu of the figure "2."

And the amendment was adopted.

## AMENDMENT NO. 2.

Amend House Bill 189 by striking out in line 15 of the printed bill the word "his" and insert in lieu thereof the word "the."



- 
- 1 Introduced by Mr. Gaunt, February 6, 1907.
  - 2 Read by title, ordered printed and referred to Committee on Insurance.

---

## A BILL

For an act to provide a method whereby assessment life insurance companies may be reincorporated as legal reserve life insurance companies.

---

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That no life insurance company or association, other than fraternal beneficiary associations, which issue contracts, the performance of which is contingent upon the payment of assessments or calls made upon its members, shall do business within this State except such companies or associations as are now authorized to do business within this State and which shall value their assessment policies or certificates of membership as yearly renewable term policies according to the standard of valuation of life insurance policies prescribed by the laws of this State.

Sec. 2. Any existing domestic assessment company or association may, with the written consent of the Insurance Superintendent of this State, upon a majority vote of its trustees or directors, amend its articles of incorporation and by-laws

4 in such manner as to transform itself into a legal reserve or level premium com-  
5 pany, and upon so doing and upon procuring from the insurance superintendent a  
6 certificate of authority, as provided by law, to transact business in this State as a  
7 legal reserve or level premium company, shall incur the obligations and enjoy the  
8 benefits thereof, the same as though originally thus incorporated, and such corpor-  
9 ation, under its charter as thus amended, shall be a continuation of such original  
10 corporation, and the officers thereof shall serve through their respective terms as  
11 provided in the original charter, but their successors shall be elected and serve as  
12 in such amended articles provided; but such amendment or reincorporation shall  
13 not affect existing suits, rights or contracts. Any assessment company, reincorpor-  
14 ated to transact life insurance business, shall value its assessment policies or cer-  
15 tificates as yearly renewable term policies according to the standard of valuation  
16 of life insurance policies prescribed by the laws of this State.

- 1 Introduced by Mr. Gaunt, February 6, 1907.
- 2 Read by title, ordered printed and referred to Committee on Insurance.

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## A BILL

For an act providing for and regulating the election of Directors of Mutual Life Insurance Companies.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That every domestic mutual life insurance  
3 company shall be governed by a board of trustees or directors who shall be elected  
4 by and from among the insured members of the company, and who shall hold at  
5 least one stated meeting each month. A majority of the board shall be residents of  
6 the State of Illinois, and the terms of at least one-fourth of the members thereof  
7 shall expire each year in rotation. No person shall be eligible for election as a  
8 member of the board unless he shall have filed notice of candidacy therefor with the  
9 board not more than ninety and not less than sixty days prior to the date of the  
10 election, accompanied by an endorsement of his candidacy for a member of such board  
11 signed by not less than a hundred policy holders of the company. The board of



12 directors then in office shall mail a notice of election giving the names of all qualified  
13 candidates to each member not less than thirty days nor more than ninety days prior  
14 to the date of such election. Each policy holder whose insurance shall be in force,  
15 shall be entitled to one vote, which may be cast either in person, or by mail or by  
16 proxy; but no proxy shall be valid if executed more than ninety, or less than thirty  
17 days prior to the date of the election at which it is offered. Any vacancy occurring  
18 in the board may be filled by the board until the next annual election, when the  
19 members of the company shall elect a person to serve for the unexpired term.  
20 Death, resignation, or refusal or neglect to serve for the period of two months, shall  
21 constitute a vacancy.

22 No vote by mail shall be counted unless received at the home office of the com-  
23 pany where the election shall be held, by the time the polls shall close or within  
24 twenty days prior to the date of the election. The board shall appoint a suitable  
25 number of policy holders who shall act as tellers and who shall determine the validity  
26 of the vote cast. The votes cast at any election shall be retained intact for a period  
27 of six months thereafter or pending their review by any court of competent juris-  
28 diction upon appeal by any interested party taken within the said period of six months.

Sec. 2. All laws and parts of laws in conflict herewith are hereby repealed.

1 Introduced by Mr. Gehant, February 6, 1907.

2 Read by title, ordered printed and referred to Committee on License.

## A BILL

For an Act to amend Section 5 of "an Act providing for the licensing of and against  
the evils arising from the sale of intoxicating liquors."

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in*  
2 *the General Assembly:* That Section 5 of Chapter 43 of the Revised Statutes of  
3 this State, relating to dram shops and the manner of taking bond therefor, be and  
4 the same is hereby amended by adding after the sentence "with at least two good  
5 and sufficient sureties freeholders of the county in which the license is to be  
6 granted" appearing in said Section 5 the following words: "*Or some surety or*  
7 *trust company of good standing and legally licensed to do business in this State.*"  
8 So that said Section 5 shall read as follows:

Sec. 5. No person shall be licensed to keep a dram shop, or to sell intoxicating  
2 liquors, by any county board, or the authorities of any city, town, or village,  
3 unless he shall first give bond in the penal sum of three thousand dollars  
4 (\$3,000.00) payable to the People of the State of Illinois, with at least two good

5 and sufficient sureties, freeholders of the county in which the license is to be  
6 granted, or some surety or trust company of good standing and legally licensed  
7 to do business in this State, to be approved by the officers who may be authorized  
8 to issue the licenses, conditioned that he will pay to all persons all damages they  
9 may sustain, either in person or property, or means of support, by reason of the  
10 person so obtaining a license selling or giving away intoxicating liquors. The  
11 officer taking such bond may examine any person offered as security upon any  
12 such bond, under oath, and require him to subscribe and swear to his statement  
13 in regard to his pecuniary ability to become such security. Any bond taken pur-  
14 suant to this section may be sued upon for the use of any person, or his legal  
15 representatives, who may be injured by reason of the selling or giving away any  
16 intoxicating liquor by the person so licensed or by his agent or servant.

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- 1 Introduced by Mr. Hollenbeck, by request, February 6, 1907.
- 2 Read by title, ordered printed and referred to Committee on Municipal Corporations.

## A BILL

For an Act to amend Section 1 of an Act entitled, "An Act to regulate and prescribe the conditions for the granting of rights and privileges for lighting and heating purposes by cities, villages and incorporated towns, and providing a remedy by the property owner where such conditions have not been complied with, approved June 15, 1897, in force July 4, 1897.

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"491. CONDITIONS UPON WHICH PRIVILEGES TO LAY PIPES OR STRING WIRES FOR  
2 LIGHTING PURPOSES IN STREETS MAY BE GRANTED—REMEDY OF PROPERTY OWNERS  
3 —SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*  
4 *General Assembly:* That the City Council in cities, or the President and Board of  
5 Trustees in villages and incorporated towns shall have no power to pass an ordi-  
6 nance granting to any person or corporation the right or privilege to lay any gas  
7 pipes for the distribution of inflammable gas for fuel or lighting purposes, or to  
8 pass an ordinance granting to any person or corporation the right or privilege to  
9 lay in or on the ground, or string on poles any wires on, over or by which elec-

10 tricity for lighting purposes is to be used, conveyed or distributed in any street,  
 11 alley or public grounds in any such city, village or incorporated town, except upon  
 12 the petition of the owner of the land representing more than one-half of the front-  
 13 age on the street or alley, or so much thereof as is sought to be used for the pur-  
 14 poses above mentioned, or any or either of them, and when the street or alley, or  
 15 part thereof sought to be used shall be more than one mile in length, no right or  
 16 privilege to lay pipes, or lay or string wires for lighting purposes shall be granted  
 17 unless a petition therefor shall be presented to the City Council of the city, or  
 18 Board of Trustees of the incorporated town or village in which such right or priv-  
 19 ilege is sought, signed by the owners of the land representing more than one-half  
 20 of the frontage of each mile, and of the fraction of a mile, if any, in excess of the  
 21 whole mile, measuring from the initial point named in such petition, of such street  
 22 or alley, or of the part thereof sought to be used for the purposes above men-  
 23 tioned, or either of them. Any person being the owner of, or interested in any lot  
 24 fronting on any street or alley, or part thereof, as is sought to be used for any or  
 25 either of such purposes, shall have the right by bill in chancery, in his or their  
 26 own name, to enjoin any person or corporation from using such street, or alley,  
 27 or part of street or alley for either of such purposes, under any grant by the City  
 28 Council or Board of Trustees, which is not made in conformity with the provisions  
 29 hereof, and the sufficiency of the petition herein required, shall be ascertained by  
 30 the Court in which such bill in chancery may be filed.

31 *Provided, however, this Act shall not apply to towns and cities having a popula-*  
 32 *tion of less than five thousand (5,000), according to the last Federal Census."*



Introduced by Mr. Keeney, February 6, 1907.

Read by title, ordered printed and referred to Committee on Judiciary.

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## A BILL

for an act to prevent the insuring of children under the age of ten years.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* It shall be unlawful for any person, firm, company or corporation to insure the life of any child under the age of ten years: to enter into any contract of life insurance or indemnity with any person, firm, company or corporation; or to renew any existing policy or contract of life insurance or indemnity on the life of any such child.

SEC. 2. Any person, firm, company or corporation violating the provisions of this Act shall, upon conviction thereof, be punished by a fine of not less than one hundred dollars (\$100.00) nor more than one thousand dollars (\$1,000.00) for each violation.

SEC. 3. That any corporation holding a charter under the laws of this State or licensed to transact and carry on business within this State which shall violate any of the provisions of this Act shall, in addition to such fine, thereby forfeit its charter and franchise and its corporate existence shall cease and determine.

noon, by mailing to each of them a notice thereof not less than thirty days prior to the date fixed for such convention. The convention shall be held in the hall of the House of Representatives, unless the General Assembly is in session, when it shall meet in a hall in or near the capitol.

Sec. 3. The State Superintendent of Public Instruction shall be the chairman of the convention. The convention shall elect a chairman *pro tempore*, who shall preside in the absence of the State Superintendent of Public Instruction, a secretary and such other officers as it shall deem necessary, all of whom shall be elected from the members of the convention. All books, records, papers and documents of whatsoever kind belonging to the convention shall be deposited and kept in the office of the State Superintendent of Public Instruction. It shall be the Secretary's duty to keep a correct record of all proceedings, votes and actions of the convention. All votes upon any proposition submitted to the convention shall be by yeas and nays and recorded in the journal of the day's proceedings. A majority of those entitled to membership in the convention shall be necessary to constitute a quorum. All meetings shall be open to the public, but the convention may exclude from its floor all persons except members.

Sec. 4. A like convention shall be called for the adoption of text books every five years, as herein provided, and any text book so adopted shall not be discarded and another substituted therefor within a period of five years after its adoption, except for a sufficient cause, to be decided at a special convention called for that purpose.

Sec. 5. Special conventions shall be called upon the petition, to the State Superintendent of Public Instruction, of one-fourth of those entitled to membership in the convention, in the manner hereinbefore provided.

Sec. 6. The members of every convention shall be allowed the cost of transportation from their respective county seats to the capitol and return, over the most direct route, together with twenty-five dollars for contingent expenses and no more. All such expenses of the members of the convention shall be paid upon vouchers approved by the State Superintendent of Public Instruction, and the Auditor of Public Accounts is hereby authorized to draw his warrant on the State Treasurer for the amounts thus shown to be due, payable out of any money in the treasury not otherwise appropriated.

Sec. 7. The School Superintendents' convention herein provided for shall be empowered and is hereby authorized to select and adopt a uniform series of school text books for use in the free public schools of this State in the following named branches, to wit: Spelling, reading, arithmetic, geography, English grammar, physiology and hygiene, history of the United States, civil government, elements of algebra and physical geography, elements of natural philosophy, and a graded series of writing books, or any other text books which said convention may deem to be to the best interests of the free public schools of this State: *Provided*, That no text book shall be adopted that contains anything of a partisan or sectarian character.

Sec. 8. The State Superintendent of Public Instruction shall, not less than ninety days prior to the date fixed for any convention, advertise for twenty-one consecutive days in two daily newspapers published in this State, having the largest circulation, and in one newspaper of general circulation in the cities of Boston, New York, Philadelphia, St. Louis and Minneapolis, the time when and the place where such convention will be held. Said advertisements shall also state the subject upon which text books will be adopted, as mentioned in section seven

8 of this Act, that sealed bids will be received by the convention for furnishing  
9 such books, the place where and the day and hour when all bids will be opened  
10 and that the convention reserves the right to reject any and all bids.

Sec. 9. Any person, firm or corporation desiring to make any bid or bids  
2 upon any of the matters provided for in this Act shall furnish a copy of each book  
3 upon which he or they propose to make a bid, to each County Superintendent of  
4 Schools and to the State Superintendent of Public Instruction for their inspection  
5 at least sixty days prior to the date fixed for the convention, and on or before  
6 the hour of ten o'clock in the forenoon of the day of the opening of the conven-  
7 tion he or they shall submit and file with the State Superintendent of Public In-  
8 struction a sealed bid or bids of the introduction and exchange prices of such  
9 book or books, in such quantities as may be required to supply the demand of the  
10 free public schools of the State, at which he or they agree to furnish such book  
11 or books or any revision or revisions thereof within the State during the full  
12 time for which said book or books may be adopted. Said bid or bids shall be ac-  
13 companied by a sample copy of each book proposed to be furnished and also by  
14 an unconditioned certified check for \$1,000, payable to the State Treasurer, to be  
15 forfeited to the State if such party shall fail to enter into proper bond and make  
16 the required contract if awarded to him or them: *Provided*, That no bid shall be  
17 considered unless the same be accompanied by the affidavit of the party making  
18 the bid that he is in no wise directly or indirectly connected with nor has any pe-  
19 cuniary interest in any other publisher or firm who is also submitting a bid or  
20 bids to such convention, and that he is not a party to nor interested either directly  
21 or indirectly in any compact, combination, syndicate or other scheme whereby the  
22 benefits of competition are denied to the people of this State. And such conven-  
23 tion shall have the right to reject any and all bids, and at their option such con-



24 vention shall have the right to reject any bid as to a part of such books, and to ac-  
 25 cept the same as to the residue thereof.

Sec. 10. It shall be the duty of such convention to meet at the time and  
 2 place mentioned in said notice, and publicly open and read all sealed bids received  
 3 pursuant to the notice provided for in section eight of this Act, and it shall be  
 4 the further duty of such convention to make a full, complete and thorough in-  
 5 vestigation of all such bids and to ascertain under which of said bids or proposi-  
 6 tions the schools books can be furnished to the people of this State for use in the  
 7 free public schools at the lowest price, taking into consideration the size, and  
 8 quality, as to matter, material, style of binding and mechanical execution of such  
 9 books: *Provided, always,* That such convention shall not in any case, contract with  
 10 any author, publisher or publishers, for the furnishing of any book, manuscript,  
 11 copyright or books, which shall be sold to patrons for the use in the free public  
 12 schools of this State at a price above or in excess of the following (which prices  
 13 shall include all costs and charges for transportation and delivery to the several  
 14 depositories hereinafter provided for) namely: For a spelling book, fifteen (15)  
 15 cents; for a first reader, fifteen (15) cents; for a second reader, twenty (20)  
 16 cents; for a third reader, thirty (30) cents; for a fourth reader, forty (40) cents;  
 17 for a fifth reader, fifty (50) cents; for a mental arithmetic, twenty-five (25)  
 18 cents; for an arithmetic, intermediate, thirty-five (35) cents; for an arithmetic,  
 19 complete, fifty (50) cents; for a geography, elementary, thirty-five (35) cents; for  
 20 a geography, complete, seventy-five (75) cents; for an English grammar, elemen-  
 21 tary, twenty-five (25) cents; for an English grammar, complete, fifty (50) cents;  
 22 for a physiology and hygiene, fifty (50) cents; for a primary history of the United  
 23 States, fifty (50) cents; for a grammar school history of the United States, seven-  
 24 ty-five (75) cents; for elements of natural philosophy, fifty (50) cents; for civil



25 government, fifty (50) cents; for elementary algebra, fifty (50) cents; for physical  
 26 geography, eighty (80) cents; for copy books, each five (5) cents. And the con-  
 27 vention shall fix the price which shall be paid for any and all other text books re-  
 28 quired in the free public schools, not enumerated in this section.

Sec. 11. If no satisfactory bid or bids are received, the State Superinten-  
 2 dent of Public Instruction shall advertise anew, and the books in use shall be con-  
 3 tinued in use until satisfactory proposals shall have been received and accepted  
 4 by a subsequent convention.

Sec. 12. The publisher or publishers whose bid or bids shall be accepted  
 2 shall, within twenty (20) days after such acceptance, enter into a writ-  
 3 ten contract or contracts with the State Superintendent of Public Instruction,  
 4 pursuant to and in accordance with the award of said convention, in which it shall  
 5 be provided that said publisher or publishers will faithfully carry out and per-  
 6 form the terms of said accepted bid or bids in full compliance with the provis-  
 7 ions of this Act, to the acceptance and satisfaction of said State Superintendent  
 8 of Public Instruction; and such publisher or publishers shall also at the time of  
 9 making said contract or contracts in writing execute a bond or bonds to the Peo-  
 10 pl of the State of Illinois in such penal sum or sums as shall be fixed by said con-  
 11 vention, with good and sufficient security, to be approved by the Governor of  
 12 this State, conditioned that such publisher or publishers will faithfully perform  
 13 the obligations and conditions of his or their contract or contracts, to the accept-  
 1 : ance and satisfaction of said State Superintendent of Public instruction.

Sec. 13. It shall be a part of the terms and conditions of every contract made  
 2 in pursuance of this Act that the State of Illinois shall not be liable to any con-  
 3 tractor hereunder for any sum whatever; but that all such contractors shall re-

4 receive their pay and compensation solely and exclusively from the proceeds of the  
5 sale of the books including any revision or revisions thereof as provided for in  
6 this Act.

Sec. 14. As soon as any contract for the furnishing of books for use in the  
2 free public schools of this State, pursuant to the provisions of this Act, shall have  
3 been entered into it shall be the duty of the Governor to issue his proclamation  
4 announcing such fact to the people of this State.

Sec. 15. The party or parties with whom contracts for supplying text  
2 books shall be made shall establish and maintain two or more depositories in the  
3 State, to be designated by the State Superintendent of Public Instruction  
4 where a stock or supply of the books sufficient to meet all the immediate de-  
5 mands shall be kept. There shall also be maintained in each county in the State  
6 not less than three agencies, for distribution of the books to the patrons, to be  
7 located and designated by the County Superintendent of Schools of each county  
8 respectively; and the contractor shall make arrangements with a merchant or  
9 other person in each and every incorporated town, city or village for the hand-  
10 ling and distribution of the books. The contractor or his agent shall retail the  
11 books at contract price, which price, shall be printed in plain letters or figures  
12 on the back of each book.

Sec. 16. It shall be the duty of any person or persons, firm or corporation,  
2 who may hereafter furnish and supply books under the provisions of this Stat-  
3 ute, to print in large letters, upon the outside of the first cover of each book  
4 so furnished and supplied by him or them, the name of the adopted book and up-  
5 on the outside of the back cover the price at which such book is furnished to be  
6 sold to pupils under such contract, and it shall be the duty of all boards of

7 education and boards of school directors, or their agents, and school teachers, to  
8 see that all books so furnished to pupils and bought by pupils for use in the  
9 schools of the State shall bear such imprint: *Provided*, This section shall not ap-  
10 ply to copy books.

Sec. 17. The books which have been, or may hereafter be, adopted by the  
2 State of Illinois, for use in its free public schools, by virtue of this Act, shall  
3 be uniformly used in all the free public schools of the State, in teaching the  
4 branches of learning treated of in such books, and it shall be the duty of the  
5 county superintendents, boards of education and boards of directors, to use in  
6 such schools such books for teaching the subjects treated in them: *Provided*,  
7 This Act shall not apply to cities of over 100,000 population.

Sec. 18. It shall not be lawful for any school officer or teacher to use or  
2 cause to be used, as text books in any free public schools, any other books upon  
3 the same branches than those adopted by said School Superintendents' Conven-  
4 tion.

Sec. 19. If any trustee, or director of any school district or member of any  
2 school board or board of education shall refuse or neglect to enforce the use of  
3 text books adopted by the convention, such refusal or neglect shall be a misde-  
4 meanor on the part of any such trustees, director or member of such school board  
5 or board of education so refusing or neglecting, and upon conviction shall be pun-  
6 ished by a fine not exceeding one hundred dollars (\$100) and by removal from  
7 office.

Sec. 20. No school officer or teacher of any free public school in any dis-  
2 trict in this State shall act as agent for any author, publisher, bookseller or other

3 person to introduce any books, apparatus, furniture or any article whatever in  
 4 any district in which such school officer or teacher is officially engaged.

Sec. 21. If any State Superintendent or any County or City Superintend-  
 2 ent of Schools or other school officer shall receive from the publisher of any school  
 3 books, or from any other person interested in the sales or introduction of any  
 4 books, maps, charts, or other school supplies into the free public schools of the  
 5 State, any money or bonus in **any manner as an inducement** for the recommen-  
 6 dation or introduction of **any such** book in the schools of the State, such person  
 7 shall be guilty of a misdemeanor, and upon conviction shall be punished by a  
 8 fine not exceeding one hundred dollars (\$100) and removal from office.

Sec. 22. The School Superintendents' Convention shall elect five persons  
 2 from among the members of the convention, of whom the State Superintendent of  
 3 Public Instruction shall be one, to compose a Board of Revision, whose duty it  
 4 shall be to cause to be revised the text books on history and geography when in  
 5 their opinion such book or books need revision. Said board shall meet annually  
 6 in the month of September upon the call of the State Superintendent of Public  
 7 Instruction at the office of said Superintendent of Public Instruction, and the  
 8 members of said board shall be allowed the actual and necessary expenses for a  
 9 period not to exceed six days incident to the performance of their duties; and  
 10 the Auditor of Public Accounts is hereby authorized to issue warrants upon the  
 11 presentation of vouchers for such expenses sworn to by the members of said  
 12 Board of Revision, respectively, and approved by the State Superintendent of  
 13 Public Instruction, to be paid by the State Treasurer out of the funds in the treas-  
 14 ury not otherwise appropriated. Should any member cease to be a county super-  
 15 intendent of schools while serving on said Board of Revision he shall cease to



16 be a member of said board. All vacancies on said board shall be filled by the  
17 remaining members of the board.

Sec. 23. Whenever the revision of any book, or books shall be determined  
2 upon by the Board of Revision, notice thereof in writing shall forthwith be given  
3 to the publisher of such book or books who shall, within six months from the  
4 time of receiving said notice, prepare or cause to be prepared, subject to the  
5 approval and acceptance of said Board of Revision, all manuscripts, illustra-  
6 tions, engravings, maps and plates necessary to make such revision; and he  
7 shall, within ninety days after such revision is completed, furnish and deliver  
8 such revised book or books to the several depositories designated in section 15  
9 of this Act in quantities sufficient to supply the demand for use in the free pub-  
10 lic schools of this State, subject to and in accordance with the terms and provis-  
11 ions of his original contract. And no revised book or books shall be intro-  
12 duced for use in the free public schools of the State at any time by virtue of the  
13 provisions of this Act, until the Board of Revision shall have given notice to the  
14 County Superintendents of Schools of the several counties of this State, by  
15 printed notice mailed to each of said County Superintendents of Schools, at  
16 least twelve months in advance of the time when such book or books are to be  
17 used in the public schools; whereupon the Governor of the State shall issue his  
18 proclamation announcing such fact to the people of this State.

Sec. 24. All acts or parts of acts in conflict herewith are hereby repealed.



Introduced by Mr. McGoorty, February 6, 1907.

Read by title, ordered printed and referred to Committee on Municipal Corporations.

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## A BILL

For an Act regulating and fixing the maximum hours of a day's work of conductors and motormen of street railways.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That a day's work for all conductors and motormen who are employed on behalf of a street railway company shall not exceed ten hours, and shall be so arranged by the employer that it may be performed within twelve consecutive hours. No officer or agent of any such company shall require from such employee more than ten hours' work for a day's labor; but in case of accident or unavoidable delay, extra labor may be performed. The provision of this Act shall not affect written contracts existing on the first day of July in the year nineteen hundred and seven.

Sec. 2. Any person, agent or officer of any association or corporation violating the provisions of this Act shall upon conviction be fined in any sum not less

3 than twenty-five dollars nor more than one hundred dollars for any violation of  
4 the provisions of this Act; and it is hereby made the duty of the state's attorney  
5 of each county in this State, to institute the necessary proceedings to enforce the  
6 provisions of this Act.

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Adopted by the House March 22, 1907.

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AMENDMENT NO. 1.

Amend title to House Bill No. 196 by inserting after the word "Act" in line 1 the following, "providing for the better safety and welfare of the public by."

AMENDMENT NO. 2.

Amend section 1 of House Bill No. 196 by inserting in line 3, after the word "that" the following, "for the purpose of providing for the better safety and welfare of the public."

AMENDMENT NO. 3.

Amend House Bill No. 196 by amending title to said bill, as printed by adding the following, "and providing for penalties for the violation thereof."



- 1 Introduced by Mr. McLaughlin, February 6, 1907.
- 2 Read by title, ordered printed and referred to Committee on Judicial Department  
and Practice.

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## A BILL

For an act entitled “An Act to require preliminary examinations before indictment by grand jury.”

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That hereafter no indictment shall be  
3 found or returned by any grand jury against any person for any criminal offense  
4 unless such person shall first have had a preliminary hearing upon a proper  
5 complaint and warrant charging said offense before some justice of the peace or  
6 court having jurisdiction to entertain such preliminary hearing and unless upon  
7 such hearing such offense has been found to have been committed and that there is  
8 probable cause to believe that such person has committed the offense so charged  
9 in said complaint and warrant.

Sec. 2. All acts and parts of acts in conflict herewith are hereby repealed.





1 Introduced by Mr. McLaughlin, February 6, 1907.

2 Read by title, ordered printed and referred to Committee on Railroads.

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## A BILL

For an act relating to the construction and operation of railroads.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That every railroad corporation owning,  
3 operating or leasing any railroad in this State for the carriage of passengers and  
4 freight, shall and they are hereby required to, on or before July 1, 1912, build  
5 and construct double tracks for the operation and movement of its trains along  
6 and over the entire right of way of all such lines, and no railroad corporation  
7 shall be permitted to operate any train or trains for the carrying of passengers  
8 or freight in this State after said date unless it shall have complied with the  
9 provisions of this Act, and it shall be the duty of the Railroad and Warehouse  
10 Commission to enforce the provisions of this Act.



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- 1 Introduced by Mr. McLaughlin, February 6, 1907.
  - 2 Read by title, ordered printed and referred to Committee on Railroads.

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## A BILL

For an act to promote the safety of railroad employes by regulating the maintaining and stringing of electric or other wires over railroad tracks.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That it shall hereafter be unlawful for  
3 any corporation or person to string any wire for transmitting electric current or  
4 any other wire whatsoever over any track of a railroad in this State, except at  
5 such height and in such manner as shall be prescribed by the Railroad and  
6 Warehouse Commission upon application made to it by the person or corpora-  
7 tion desiring to string such wire, after at least ten (10) days' written notice to  
8 the railroad whose track or tracks are sought to be crossed, of the time when  
9 such application will be made and of the proposed height and manner of string-  
10 ing such wire: *Provided, however,* That this Act shall not be construed as  
11 granting to any person or corporation the right to string wires across railroad

12 tracks, but shall only be applicable in cases where such right has been or may  
13 hereafter be conferred by law or acquired by grant from or contract with such  
14 railroad company.

Sec. 2. Said Railroad and Warehouse Commission shall, as soon as possible after the taking effect of this Act, either by personal examination or otherwise, obtain information as to all places where the tracks of railroads are crossed by wires strung over said tracks, and wherever in its judgment such wires should be raised to a greater height or any other thing done with reference thereto to guard against accidents, shall order such change or changes to be made by the persons or corporations owning or operating such wires as it may deem necessary, and within such time (not less than thirty (30) days) as it may prescribe.

Sec. 3. In no case shall said Railroad and Warehouse Commission prescribe a less height than twenty-two (22) feet above the top of the rails of any railroad track for a trolley wire, or a less height than twenty-five (25) feet above the top of the rails of any railroad track for any other wire hereafter strung or ordered to be raised.

Sec. 4. Every person or corporation who shall string or maintain any wire over any railroad track in this State without having said Railroad and Warehouse Commission prescribe the height and manner of stringing the same, or who shall string or maintain any such wire at a different height or in a different manner from that prescribed by said Railroad and Warehouse Commission, shall forfeit and pay to the people of the State of Illinois the sum of one hundred (\$100.00) for each separate period of ten (10) days during which such wire is so maintained, to be recovered in an action of debt in any court of competent



9 jurisdiction, in the name of the People of the State of Illinois, by the Attorney  
10 General or by the State's Attorney of the county in which such wire is situated,  
11 at the request of the Railroad and Warehouse Commission or of the railroad  
12 company over whose track or tracks such wire passes, or of any employe thereof;  
13 and it is hereby made the duty of said Attorney General and State's Attorney  
14 to bring such action forthwith upon being so requested.



- 1 Introduced by Mr. Oglesby, February 6, 1907.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

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## A BILL

For an act relating to the sale of old, worn and discarded furniture or furnishings belonging to the State of Illinois of which the Secretary of State has the care, custody and control, and creating a commission for such sale, and prescribing its powers and duties.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the Secretary of State, Auditor of Public Accounts and Attorney General be and are hereby constituted a commission which shall have the power, in the manner provided in this Act, to order the sale, and to sell and dispose of such old, broken, worn out, or discarded tables, chairs, desks, carpets and other furniture or furnishings belonging to the State of Illinois of which the Secretary of State has, or may hereafter have, the care, custody or control.

Sec. 2. The Secretary of State shall be *ex officio* secretary of said Commission, and shall keep a record of all the proceedings of said commission and shall make as

3 a part of said record an inventory of all the property ordered sold by said commis-  
4 sion, and, upon the sale of said property or any part thereof, shall make an inven-  
5 tory thereof, which inventory shall show the articles sold, together with the amount  
6 of such sales, itemizing the same.

Sec. 3 The Commission shall, from time to time, make an inventory, and  
2 cause such inventory to be entered of record, of such tables, chairs, desks, carpets  
3 and other furniture or furnishings belonging to the State of Illinois of which the  
4 Secretary of State has the care, custody or control, as are old, broken, worn out,  
5 or discarded, and shall order a sale of the same for cash. The proceeds of such  
6 sale, or sales, shall be paid into the State Treasury and become a part of the  
7 revenue fund of the State.

Sec. 4. WHEREAS, an emergency exists, therefore this Act shall take effect from  
2 and after its passage.

- 1 Introduced by Mr. Pogue, February 6, 1907.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

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## A BILL

For an act to repeal an act entitled, "An Act to create the Court of Claims and to prescribe its power and duties," approved May 16, 1903, in force July 1, 1903.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That an act entitled "An Act to create  
3 the Court of Claims and to prescribe its power and duties," approved May 16,  
4 1903, in force July 1, 1903, be and the same is hereby repealed.





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- 1 Introduced by Mr. Reynolds, February 6, 1907.
  - 2 Read by title, ordered printed and referred to Committee on Judicial Department and Practice.

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## A BILL

For an act in regard to decrees of foreclosure of mortgages and deeds of trust, and making redemption therefrom.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That in suit in equity for the foreclosure of mortgages or trust deeds made and executed after the taking effect of this Act, and of any mortgage or trust deed whenever the bill prays, and the decree provides, that it is to be executed in accordance with the provisions of this Act, no sale shall be made before the expiration of fifteen months from the date of any decree of sale, but may be made at any time thereafter. The provisions of this section shall not apply to any decree of foreclosure of mortgages or trust deeds given by any railroad corporation, but such sales may be made immediately after the rendition of the decree. Such decree may provide

11 that a decree may be rendered for any balance of money that may be found due  
 12 to the complainant, over and above the proceeds of sale or sales, and execu-  
 13 tion may issue for the collection of such balance, the same as when the decree  
 14 is solely for the payment of money, such decree to be rendered after the ascer-  
 15 tainment of the balance due: *Provided*, That such execution shall issue only  
 16 in cases where personal service shall have been had upon the defendant or defend-  
 17 ants personally liable for the mortgage debt, unless their appearance has been en-  
 18 tered in said suit.

Sec. 2. The mortgagor, his heirs, personal representatives or assigns, or  
 2 any person interested in the premises through or under the mortgagor, may re-  
 3 deem the mortgaged premises from the effect of said decree at any time be-  
 4 fore any redemption has been made by any creditor as hereinafter provided, or  
 5 any foreclosure sale made, by paying to the person or persons entitled to the  
 6 proceeds of said decree the amount of such decree and interest thereon at the  
 7 rate of five per cent per annum and costs, and all sums that have been paid by  
 8 the complainant, or person entitled to the proceeds of such decree, subsequent  
 9 to the decree for or on redemption of taxes or special assessments against such  
 10 mortgaged premises, premiums for insurance thereon and interest, as in other  
 11 sections of this Act provided, and such complainant or person entitled to the  
 12 proceeds on receiving such payment shall make out an instrument in writing un-  
 13 der his hand and seal, evidencing said redemption, which shall be acknowledged  
 14 and recorded in the recorder's office of the proper county at the expense of the  
 15 party redeeming.

Sec. 3. Also the mortgagor, his heirs, personal representatives or assigns,  
 2 or any person interested in the premises through or under the mortgagor, may

2 also redeem the mortgaged premises from the effect of such decree at any time  
 4 before redemption has been made by any creditor as hereinafter provided or  
 5 foreclosure sale made, by paying to the sheriff of the county in which the decree  
 6 is rendered, for the use of the person entitled to the proceeds of the decree,  
 7 the amount of such decree with interest thereon at the rate of five per cent per an-  
 8 num and costs, and all sums paid by the complainant, or persons entitled to the  
 9 proceeds of the decree, for or in redemption of taxes or special assessments  
 10 and premiums for insurance thereon and interest as in the other sections of  
 11 this Act: *Provided*, The receipts for which taxes, assessments or redemption  
 12 therefrom and insurance premiums have been filed with the clerk of the court in  
 13 which the decree was rendered: *Provided, however*, That the party desiring  
 14 to make such a redemption by paying the money to the sheriff, shall deliver to  
 15 the sheriff a certified copy of the decree and certificate of the clerk of the  
 16 amount of costs due the complainant, and the amount of taxes or special as-  
 17 sessments or redemptions therefrom and insurance premiums and the date of  
 18 payment thereof, as shown by any receipts filed with said clerk, and if no such  
 19 receipts have been filed, he shall so state in his certificate. In case of such re-  
 20 demption the sheriff shall make out an instrument in writing under his hand and  
 21 seal, evidencing such redemption, and acknowledging the same, which shall be re-  
 22 corded in the recorder's office of the proper county, which acknowledgment and re-  
 23 cording shall be paid for by the party redeeming.

Sec. 4. In case any creditor or creditors shall have redeemed the premises  
 2 as hereinafter provided, the mortgagor, his heirs, personal representatives or  
 3 assigns, or any person interested in the premises through or under the mort-  
 4 gator, may redeem the mortgaged premises at any time before sale, by paying  
 5 to the sheriff or other officer holding the writ or decree, under which the last

6 redemption shall have been made, the amount paid by such creditor to re-  
 7 deem such premises and interest thereon from the date of payment at the rate  
 8 of six per cent per annum, and the amount paid for or in redemption of taxes  
 9 and assessments and insurance premiums by the creditor who has redeemed since  
 10 the last redemption, with interest at six per cent per annum from the date of pay-  
 11 ment, the receipts for which have been filed with the clerk, and the amount due  
 12 upon the execution or executions or decree under which such redemption was  
 13 made, and upon such payment, the sheriff or other officer to whom payment is  
 14 made, shall execute and acknowledge all instruments under his hand and seal,  
 15 evidencing such redemption, which shall be recorded in the proper county at  
 16 the cost of the party redeeming.

Sec. 5. Any joint owner, his executors, administrators or assigns, or  
 2 any decree or judgment creditor having a lien on said premises or any person  
 3 holding a probate claim against the estate of any deceased joint owner,  
 4 may redeem the interest of such joint owner in the mortgaged premises, in the  
 5 manner and upon the conditions in this Act provided, upon the payment of his  
 6 proportion of the amount required to redeem the whole of the mortgaged prem-  
 7 ises.

Sec. 6. If such redemption is not made by the mortgagor, his heirs, per-  
 2 sonal representatives or assigns, or any person interested in any decree or judg-  
 3 ment, having a lien upon the premises or some part thereof described in such  
 4 decree, and where the owner of the equity of redemption therein has died any  
 5 person having a claim duly allowed against his estate, or the executors, adminis-  
 6 trators or assigns of such creditor, may, after the expiration of twelve months  
 7 and within fifteen months after date of such decree, redeem such premises in  
 8 the following manner:



9        Such creditor, his executors, administrators or assigns, may sue out an ex-  
 10    ecution upon his judgment or decree, and place the same in the hands of the  
 11    sheriff or other proper officer to execute the same, who shall endorse upon the  
 12    back thereof a levy on the premises, and the person desiring to make such re-  
 13    demption shall pay to such officer the amount required to redeem, as in section  
 14    3 of this Act provided, for the use of the person entitled to the proceeds of said  
 15    decree, and such officer shall issue a certificate of such redemption, which shall  
 16    be recorded in the office of the recorder of deeds, whereupon such officer shall,  
 17    after the expiration of fifteen months from the entry of said decree, sell the  
 18    premises under said execution, as in other cases of sale on execution.

19       In case of a claim against the deceased owner of the said equity of redemp-  
 20    tion, the writ to be issued shall be a special execution to the sheriff of the  
 21    proper county, commanding him, upon redemption being made, to levy upon and  
 22    sell the premises so redeemed, and like proceeding shall be had as upon other ex-  
 23    ecutions.

      Sec. 7. Successive redemptions may be made of the premises, at any time  
 2    within three months after the expiration of twelve months from the entry of the  
 3    decree, by depositing with the officer having the last preceding writ or decree  
 4    on which redemption was made, the amount of the redemption money, paid on  
 5    the last preceding redemption, with interest and costs, and the amount paid for  
 6    or in redemption of taxes and assessments and insurance premiums by the cred-  
 7    itor who has redeemed since the last redemption, with interest at six per cent  
 8    per annum since the date of payment, the receipts for which have been filed  
 9    with the clerk, and the amount due upon the execution or decree under which  
 10    such preceding redemption was made, in like form and manner as on the first  
 11    redemption, and at the sale upon the execution or decree under which the last

12 redemption is made, the person so redeeming shall be considered as having bid  
13 the amount of his redemption money interest and costs, and such officer shall  
14 execute a deed to the purchaser and other redemption shall be allowed. The  
15 proceeds shall be applied on said writ as in other cases of sale on execution.

Sec. 8. Where there are several decree or judgment creditors having a  
2 lien on the said premises, or some part thereof, or creditors having probated  
3 claims against the estate of a deceased owner of the equity of redemption, the  
4 creditor having the senior judgment, decree or probated claim shall have the  
5 preference to redeem during the first two days, next after the expiration of  
6 the twelve months from the date of foreclosure decree and the other creditors  
7 shall respectively have preference to redeem during a like time, in the order  
8 of seniority of their several judgments, decrees or probated claims, but where  
9 two or more judgments, decrees or probated claims bear equal date, the creditor  
10 first paying the redemption money shall have preference.

Sec. 9. No commission upon the amount of the redemption money paid in  
2 any case shall be allowed but the usual commission to the officer selling said  
3 premises on the excess made over and above the amount of said redemption  
4 money and interest.

Sec. 10. The officer who makes sale of mortgaged premises under any de-  
2 cree therefor, shall give notice to the time and place of sale in the manner  
3 provided by law for the sale of real estate upon execution or in such other man-  
4 ner, without reducing such period of publication, as the court shall in any such  
5 decree direct, or if sold under a creditor's redemption from such decree, in the  
6 same manner as in other cases of sale on execution. In sales under any such  
7 decree, without previous redemption, the officer making the same shall immedi-

8 ately after such sale file with the clerk of the court, which entered said decree,  
 9 a report of the sale, which report after the expiration of five days from the  
 10 filing thereof may be approved by the court and immediately after the approval  
 11 thereof such officer shall, after deducting the costs, apply the residue upon the  
 12 indebtedness for which sale was made, and if any balance remain after the same  
 13 is satisfied, shall dispose of it as the court shall direct. If such sale is made  
 14 in vaction, the judge of said court shall have power in vacation to approve such  
 15 sale and enter a decree for any deficiency. Any order of approval or decree so  
 16 made shall be signed by the judge and entered of record by the clerk of the court  
 17 in which such proceeding is had, but such order or decree may, for good cause  
 18 shown, be set aside or modified or excepted to during the next term of court  
 19 upon motion filed on or before the second day of the term, of which motion the  
 20 complainant or his attorney shall have notice. If not so set aside or modified  
 21 it shall thereupon be final.

Sec. 11. Whenever a decree has been entered for the foreclosure of any  
 2 mortgage or trust deed upon real estate, the owner of or person interested in  
 3 such judgment or decree shall have the right to pay all taxes and assessments  
 4 and redeem from any sales therefor which are or may become a lien upon such  
 5 real estate before a sale thereof, and whenever redemption is made from such  
 6 decree, the party or parties entitled to redeem shall pay, in addition to the re-  
 7 demption money above provided for, the amount so paid, if any, for or in re-  
 8 demption of such taxes and assessments and insurance premiums thereon, to-  
 9 gether with interest thereon at the rate of six per cent per annum; but if such  
 10 redemption be made by payment to the sheriff or other officer, then such taxes,  
 11 assessments and redemption money from sales thereof, and insurance premiums

12 and the interest thereon, shall be paid only in case a receipt or receipts there  
13 for shall be filed with the clerk of the court before such redemption.

Sec. 12. No transfer or sale of any such decree for foreclosure need be  
2 regarded in making redemption unless the evidence thereof is filed with the  
3 clerk of said court or noted upon the docket of such decree.

Sec. 13. The purchaser of the premises described in such decree at any  
2 such sale shall be entitled to a deed therefor at any time within five years after  
3 the date of the approval of such sale by the court, such deed to be executed by  
4 the sheriff, master in chancery or other officer who makes such sale, or by his suc-  
5 cessors in office or by some person specially appointed by the court for that pur-  
6 pose. When such deed is not taken within the time limited by this Act, such  
7 sale shall be null and void; but if such deed is wrongfully withheld by the of-  
8 ficer whose duty it is to execute the same, or if the execution of said deed  
9 is restrained by injunction or order of court or judge, the time during which  
10 the deed is withheld or the execution thereof restrained, shall not be taken as  
11 any part of the five years within which purchaser shall take a deed.

Sec. 14. The deed may be substantially in the same form as is or shall be  
2 prescribed by law for deeds on sales pursuant to executions upon judgments.

Sec. 15. Such deed shall vest in the purchaser all the right, title and in-  
2 terest in the mortgagor, his heirs, personal representatives and assigns, in and  
3 to the premises sold, and shall be a bar to all claim, right or equity of re-  
4 demption therein of and against the parties to such action, their heirs and per-  
5 sonal representatives, and also against all persons claiming under them subse-  
6 quent to the commencement of such suit; and the purchaser, his heirs and as-  
7 signs, shall be let into possession of the premises so sold on production of



8 such deed or a duly certified copy thereof; and the court may, if necessary, is-  
 9 sue a writ or writs of assistance to deliver such possession.

Sec. 16. In case the execution of the decree is restrained or delayed by  
 2 injunction out of chancery or by appeal or by the order of a judge or court,  
 3 and the time of restraint or delay continues for a longer period than one year  
 4 from the date of the decree, the right of creditors to redeem as provided in sec-  
 5 tions 6 and 7 shall be postponed until the termination of the restraint and delay,  
 6 and they shall have the same time for redemption after such termination as is  
 7 provided in said sections 6 and 7 of this Act, and no sale shall be made under  
 8 said decree, until the expiration of three months from the termination of such  
 9 restraint or delay, but may be made immediately thereafter.

Sec. 17. In case the mortgagor or person holding the equity of redemption  
 2 of the mortgaged premises at the date of the decree shall die, sale may be made  
 3 under such decree without revising the decree against his heirs or legal represent-  
 4 atives.

Sec. 18. The sheriff or other officer upon receiving any money in redemp-  
 2 tion, shall forthwith notify the person entitled thereto, if his address can be as-  
 3 certained, of the fact of such redemption.

Sec. 19. No notice of sale shall be given until after the expiration of the  
 2 time for which the sale is postponed by any of the terms of this Act, and in no  
 3 case shall any sale be made until the expiration of fifteen months from the date  
 4 of decree.

Sec. 20. The word mortgagor in this Act shall be held to include the  
 2 grantor in any deed given solely to secure the payment of money.



Sec. 21. All acts or parts of acts inconsistent herewith are hereby to the  
2 extent of such inconsistencies repealed, but nothing herein shall be construed to  
3 effect sales under executions or attachments, except sales on execution or re-  
4 demptions made pursuant to this Act, nor shall this Act be construed to effect  
5 the execution of decrees in equity in other cases.

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- 1 Introduced by Mr. Schermerhorn, February 6, 1907.
  - 2 Read by title, ordered printed and referred to Committee on Insurance.

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## A BILL

For an act to amend an act entitled "An Act to correct certain abuses and prevent unjust discrimination of and by life insurance companies doing business in this State, between insurants of the same class and equal expectation of life, in the rates, amount, or payment of premiums in the return of premiums, dividends, rebates or other benefits. (Approved June 19, 1891, in force July 1, 1891.)

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That an act entitled "An Act to correct  
3 certain abuses and prevent unjust discriminations of and by life insurance  
4 companies doing business in this State, between insurants of the same class and  
5 equal expectation of life, in the rates, amount, or payment of premiums, in the  
6 return of premiums, dividends, rebates or other benefits, (approved June 19,  
7 1891, in force July 1, 1891,) be and the same is hereby amended to read as fol-  
8 lows:

9 That no life insurance company doing business in this State shall make or  
 10 permit any distinction or discrimination in favor of individuals between insur-  
 11 ants of the same class and equal expectation of life in the manner of payment  
 12 of premiums or rates charged for policies of life or endowment insurance, or in  
 13 the dividends or other benefits payable thereon, or any other of the terms and  
 14 conditions of the contract it makes, nor shall any such company or agent thereof  
 15 make any contract of insurance, or agreement as to such contract, other than as  
 16 plainly expressed in the policy issued thereon; nor shall any such company, or  
 17 any officer, agent or solicitor thereof pay, allow or give, or offer to pay, to allow  
 18 or to give, directly or indirectly, as an inducement to insurants any rebatement  
 19 of premium payable on the policy, or any special favor or advantage in the divi-  
 20 dends or other benefits to accrue thereon, or any interest, dividend or profit to  
 21 accrue thereon, stock, bonds or other securities of any insurance company or  
 22 other corporation, or any paid employment or contract for service of any kind,  
 23 or any other favorable consideration or inducement whatever or anything of  
 24 value not specified in the policy contract of insurance.

Sec. 2. If any life insurance company or association, its agent or agents,  
 2 as aforesaid, shall make any unjust discriminations as enumerated in section 1  
 3 of this Act, the same shall be deemed guilty of having violated the provisions  
 4 of this Act and upon conviction shall thereupon be dealt with as hereinafter pro-  
 5 vided.

Sec. 3. Any person knowingly receiving any rebate or allowance or reduc-  
 2 tion from any premium, or anything of value, any special favor or advantage  
 3 whatever as an inducement to take any policy of life insurance, not specified in  
 4 the policy, shall be deemed guilty of having violated the provisions of this Act  
 5 and upon conviction thereof, shall be dealt with as hereinafter provided.

Sec. 4. Any such life insurance company or association which shall transact  
 2 its business in this State in violation of any of the provisions of this Act, shall  
 3 be subject to a penalty of not less than five hundred dollars nor more than one  
 4 thousand dollars, to be sued for and recovered in the name of the People of the  
 5 State of Illinois by the State's Attorney of the county in which such offense is  
 6 committed, one-half of such penalty when recovered shall be paid to the County  
 7 Treasurer of such county and the other half to the informer of such violation.

Sec. 5. Any agent or agents of any insurance company or association trans-  
 2 acting business in the State of Illinois, who shall violate any of the provisions  
 3 of this Act, shall be subject to a penalty of not less than five hundred dollars  
 4 nor more than one thousand dollars, to be sued for and recovered in the name of  
 5 the People of the State of Illinois by the State's Attorney of the county in which  
 6 such agent or agents may reside, or in the county in which the offense is com-  
 7 mitted, one-half of such penalty when recovered shall be paid to the Treasurer  
 8 of such county and the other half to the informer of such violation, or upon the  
 9 conviction for such offense, any such agent may be sentenced to the county jail of  
 10 said county for a term not exceeding one year, and it is hereby made the duty  
 11 of the Insurance Superintendent of this State upon conviction as aforesaid or  
 12 penalty recovered against any such company or agent thereof for any violation  
 13 of this Act, at once to revoke, cancel and annul the certificate of authority issued  
 14 to any such agent by the Superintendent of Insurance, and no certificate of au-  
 15 thority or license shall be issued to such agent for two years thereafter.

Sec. 6. Any person violating the provisions of section 3 of this Act by re-  
 2 ceiving any reduction from premiums or anything of value or any special favor  
 3 or advantage whatever as an inducement to take a policy of life insurance not

4 specified in the policy, shall upon conviction of such violation be subject to a  
5 penalty of not less than five hundred dollars nor more than one thousand dollars  
6 to be sued for and recovered in the name of the People of the State of Illinois  
7 by the State's Attorney of the county in which such agent or agents may reside,  
8 or in the county in which the offense is committed, one-half of such penalty  
9 when recovered shall be paid to the Treasurer of such county and the other half  
10 to the informer of such violation.

Sec. 7. Nothing in this Act shall be construed to affect any right which may  
2 have accrued or any suit which may be pending when the provisions hereof shall  
3 take effect.

Sec. 8. The provisions of this Act shall not be construed to apply to fra-  
2 ternal associations dispensing aid or benefit to members or their heirs or legal  
3 representatives.

Sec. 9 All acts and parts of acts in conflict herewith are hereby repealed.



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- 1 Introduced by Mr. Schermerhorn, February 6, 1907.
  - 2 Read by title, ordered printed and referred to Committee on Insurance.
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## A BILL

For an act to regulate the investments of the funds and the real estate holdings of  
life insurance companies.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* That on and after January 1, 1908, any  
3 life insurance company of this State, for the purpose of investing its capital, sur-  
4 plus and other funds, or any part thereof, may purchase and hold as collateral  
5 security or otherwise, and sell and convey any bonds or public stocks issued or  
6 created by the United States, or by this State, or by any of the other states of the  
7 United States or the District of Columbia, or any or either of them, or by any  
8 of the incorporated cities, counties, townships or other municipal corporations  
9 thereof, or bonds authorized to be issued by any commission appointed by the  
10 Supreme Court of this State, or invest said capital, surplus or other funds, or  
11 any part thereof, in bonds or notes secured by mortgages or trust deeds on un-  
12 encumbered real estate located within said states, or the District of Columbia,

13 or either of them, worth at least double the sum invested or loaned, or lend on  
 14 or purchase mortgage bonds of railroad companies organized under the laws of  
 15 said states, or the District of Columbia, or either of them, or operated therein,  
 16 or the capital stock, bonds, securities or evidences of indebtedness created by  
 17 any corporation or corporations created under the laws of the United States, or  
 18 of this or any other state, except the stock of mining and manufacturing compa-  
 19 nies and stocks commonly known as "industrials:" *Provided*, That no loan  
 20 shall be made or retained on any of the above mentioned securities, except the  
 21 bonds or stock issued or created by the United States or this State, exceeding  
 22 ninety per centum of the market value thereof: *And Provided further*, That no  
 23 purchase shall be made by any life insurance company of the stock of any  
 24 other life insurance company, nor of the stock of any company which  
 25 has not regularly earned and paid dividends for the five years next  
 26 preceding the time of such purchase equal during such five years to the  
 27 average loaning rate of the company so purchasing said stock, and that no loan  
 28 shall be made by any company on its own stock; and any life insurance com-  
 29 pany of this State may, in addition to the foregoing, purchase for its own bene-  
 30 fit any policy of insurance or other obligation of the company and any claims  
 31 of policyholders, and may lend to the holders of policies of the company a sum  
 32 not exceeding the reserve value of the policies at the time the loan is made, for  
 33 the payment of which loan the policies and all profits thereon shall be pledged.

34 No investment or loan, except policy loans, shall be made by any such life  
 35 insurance company, unless the same shall first have been authorized by the  
 36 Board of Directors, or by a committee thereof charged with the duty of supervis-  
 37 ing such investment or loan. No such company shall subscribe to or participate  
 38 in any underwriting of the purchase or sale of securities or property, or enter  
 39 into any transaction for such purchase or sale on account of said company joint-

ly with any other person, firm or corporation; nor shall any such company enter into any agreement to withhold from sale any of its property, but the disposition of its property shall be at all times within the control of the Board of Directors.

Sec. 2. Every such life insurance company may acquire, hold and convey real property only for the following purposes and in the following manner:

1st. Such as shall be requisite for convenient accommodation in the transaction of its business.

2nd. Such as shall have been mortgaged to it in good faith by way of security for loans previously contracted or for moneys due.

3rd. Such as shall have been conveyed to it in satisfaction of debts previously contracted in course of its dealings.

4th. Such as shall have been purchased at sales on judgments, decrees or mortgages obtained or made for such debts.

All such real property specified in sub-divisions 2, 3 and 4 of this section, which shall not be necessary for its accommodation in the convenient transaction of its business, shall be sold and disposed of within five years after the company shall have acquired title to the same, or within five years after the same shall have ceased to be necessary for the accommodation of its business, and it shall not hold such property for a longer period unless it shall procure a certificate from the Insurance Superintendent that its interests will suffer materially by the forced sale thereof, in which event, the time for the sale may be extended to such time as the Insurance Superintendent shall direct in such certificate.

Sec. 3. This Act shall apply to all investments of the funds of domestic life  
2 insurance companies of every kind and character.

Sec. 4. All acts and parts of acts inconsistent herewith or in conflict with  
2 the provisions of this Act are hereby repealed.

- 1 Introduced by Mr. Schermerhorn, February 6, 1907.
- 2 Read by title, ordered printed and referred to Committee on Insurance.

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## A BILL

For an act to amend section 2 of an act entitled "An Act to provide for the deposit of reserve and the registration of policies and annuity bonds by life insurance companies of this State." (Approved April 18, 1899, in force July 1, 1899.)

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That section 2 of an act entitled "An Act  
3 to provide for the deposit of reserve and the registration of policies and annu-  
4 ity bonds by life insurance companies of this State, (approved April 18, 1899,  
5 in force July 1, 1899), be and the same is hereby amended to read as follows:  
6 After making the deposit mentioned in the preceding section, no company  
7 shall issue a policy of insurance or endowment or an annuity bond, unless it shall  
8 have upon its face a certificate in the following words: "This policy is regis-  
9 tered, and is secured by pledge of bonds, stocks or other securities deposited  
10 with this department equal to the amount of the legal reserve thereon," which



11 certificate shall be signed by the superintendent and sealed with the seal of his  
12 office. Such policies and bonds shall be known as registered policies and annu-  
13 ity bonds, and a duplicate or copy of each kind, class and issue shall be kept in  
14 the office of the Insurance Superintendent. All policies and bonds of each kind  
15 and class issued, and the copies thereof filed in the office of the Superintendent,  
16 shall have imprinted thereon some appropriate designating letter, combination  
17 of letters or terms, identifying the special form of contract, together with the year  
18 of adoption of such form, and whenever any change or modification is made in  
19 the form of contracts, policy or bond, the designating letters or terms and year  
20 of adoption thereon shall be correspondingly changed.

21 The Superintendent shall prepare and keep such registers thereof as will  
22 enable him to compute their value at any time. Upon written proof attested by  
23 the president or vice president and secretary of the company which shall have  
24 issued such policies or annuity bonds, that any of them have been commuted or  
25 terminated, the Superintendent shall commute or cancel them upon such register.  
26 The net present value of every policy or annuity bond, according to the standard  
27 prescribed in the laws of this State for the valuation of policies of life insur-  
28 ance companies, when the first premium shall have been paid thereon, less the  
29 amount of such liens, not exceeding such value as the company may have against  
30 it, shall be entered opposite the record of said policy or annuity bond in the reg-  
31 ister aforesaid at the time such record is made. On the first day of January of  
32 each year, or within sixty days thereafter, the Superintendent shall cause the reg-  
33 istered policies and annuity bonds of each company to be carefully revalued, and  
34 the actual value thereof at the time fixed for such valuation, less such liens, not  
35 exceeding such value as the company may have against it, shall be entered upon  
36 the register opposite the record of such policy or bond, and the Superintendent

7 shall furnish a certificate of the aggregate of such value to the company. It  
8 shall be the duty of the Superintendent to receive mutilated policies and annuity  
9 bonds issued by said companies, and deliver in lieu thereof other policies or  
10 bonds of like tenor and date.



AMENDMENTS TO

45th Assem.

HOUSE—No. 205

Apr. 1907

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Amendments to House Bill No. 205, adopted by the House April 23, 1907.

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AMENDMENT NO. 1.

Strike out all after the word “registered,” in line nine of the printed bill, to, and including the word “thereon,” in line ten, and substitute therefor the following: “and approved securities, equal in value to the legal reserve hereon, are held in trust by this department.”

AMENDMENT NO. 2.

In line 38 of the printed bill strike out the word “received” and substitute therefor the word “cancel,” and in line 39 strike out the word “deliver” and substitute therefor the word “register.”

AMENDMENT NO. 3.

Amend House Bill No. 205 by adding thereto the following, to be known as  
Sec. 2:

“Sec. 2. This act shall take effect and be in force on and after January 1, 1908.”





- 1 Introduced by Mr. Ton, February 6, 1907.
- 2 Read by title, ordered printed and by unanimous consent, read a first time and ordered to a second reading without reference.

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## A BILL

For an Act to annex that part of the Township of Calumet lying within the limits of the City of Chicago to the South Park district and to give the Board of South Park Commissioners power to acquire and maintain a natural park in said annexed territory.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That that part of the Township of Calumet now lying within the corporate limits of the City of Chicago, in the County of Cook and State of Illinois, be and the same is hereby annexed and made a part of the South Park district under the authority of the Board of South Park Commissioners and the said Board of South Park Commissioners are hereby expressly granted full power and authority to purchase and improve a natural public park within said annexed territory and to issue bonds therefor, levy and collect taxes to maintain such park, and to pay the interest on such bonds and also to pay and discharge the principal thereof within twenty (20) years from the date of issuing said bonds,

Sec. 2. The power and authority herein granted shall not be exercised until the  
 2 proposition to annex said territory shall have been submitted to a vote of the  
 3 legal voters of the territory proposed to be annexed and also in the towns of Hyde  
 4 Park, Lake and South Chicago comprising the present South Park District, and  
 5 it shall be the duty of the Board of Election Commissioners of the City of Chicago,  
 6 at the next succeeding general election after the passage of this Act, to submit to the  
 7 voters of the territory proposed to be annexed and of the said present South Park  
 8 district, the proposition for and against annexation. If a majority of the votes  
 9 cast upon that proposition at such election in the territory hereby proposed to  
 10 be annexed and if a majority of the votes cast upon that proposition in the afore-  
 11 said South Park District shall be for annexation then said adjoining territory shall  
 12 become and be a part of said South Park district and said Board of South Park  
 13 Commissioners shall exercise the power and authority hereby granted.

14 The ballot to be used at such election shall be in the following form:

15 "For annexing that part of the Township of Calumet inside of the corporate  
 16 limits of the City of Chicago to the South Park district."

17 "Against annexing that part of the Township of Calumet inside of the corporate  
 18 limits of the City of Chicago to the South Park district."

19 The judges at such election shall make return thereof to said Board of Election  
 20 Commissioners, who shall canvass such returns and cause a statement of the result of  
 21 such election to be entered upon the records of the Board of Election Commis-  
 22 sioners, a certified copy of which record shall be by said Board of South Park Com-  
 23 missioners spread upon the records of said park district.

Sec. 3. WHEREAS, there is a necessity for the immediate acquisition of the lands  
 2 contemplated in this Act; therefore, an emergency exists, and this Act shall take  
 3 effect and be in force from and after its passage.

1 Introduced by Mr. Heintz, February 6, 1907.

2 Read by title, ordered printed and referred to Committee on Libraries.

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## A BILL

For an act to create The Illinois Department of Libraries, to promote the establishment and efficiency of free Public Libraries and to provide for the establishment, care and maintenance of free traveling libraries.

SECTION 1: *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That there is hereby created the Illinois  
3 State Library Board, to be composed of five members, of which the Gov-  
4 ernor shall be a member, *ex officio*. Four members shall be appointed by the  
5 Governor by and with the consent of the Senate. The members first appointed  
6 by the Governor shall serve for terms of one (1), two (2), three (3), and four  
7 (4) years respectively, from the first day of July A. D. 1907, and thereafter all  
8 appointments shall be made for the term of four years, except such appoint-  
9 ments as may be made to fill any vacancies on the Board, J

Sec. 2. The officers of the Board shall be a President and Vice President,  
 2 who shall be members of the Board, and a Secretary, and shall be elected at the  
 3 annual meeting of the Board held in July of each year and shall serve for a  
 4 period of one year. The office of said Board shall be at Springfield in rooms to  
 5 be provided for that purpose in the State Capitol building.

Sec. 3. The State Library established at the Capital of the State by an act  
 2 entitled, "An Act to revise the law in relation to the State Library, approved  
 3 February 25, 1874, in force July 1, 1874," shall be and the same is hereby  
 4 turned over to and placed in the care, custody and control of the said Illinois  
 5 State Library Board and shall be known as the Illinois State Library.

Sec. 4. The said Board shall have power to make and carry into effect such  
 2 rules and regulations for its own government and for the conduct of the work  
 3 contemplated by this Act and for the care, arrangement and use of the books,  
 4 maps, charts, papers and furniture of the State Library as they may deem  
 5 proper. They shall have power to appoint a State Librarian at a salary of  
 6 not to exceed \$1,800 per annum and such assistants as they may deem necessary  
 7 and to fix the salaries of said assistants.

Sec. 5. The Librarian appointed by said Board shall have the custody  
 2 and charge of all books, maps, charts, papers and other things belonging to the  
 3 State Library or directed to be deposited therein and shall perform such other  
 4 duties as the Board may prescribe for the furtherance of the growth and ef-  
 5 ficiency of the Library.

Sec. 6. It shall be the duty of the Library Board, as opportunity may offer,  
 2 to give advice and counsel or provide for the same through the employes of the



3 State Library to all free libraries, and to all persons and communities which may  
 4 propose to establish them, as to the best means of establishing and administer-  
 5 ing such libraries, selecting and cataloging books, and other details of library  
 6 management; and said Board may, in the discharge of this duty, hold library  
 7 institutes in various parts of the State and issue such circulars, leaflets or  
 8 pamphlets, containing such suggestions and information as will, in its discretion,  
 9 encourage and aid in the establishment and conduct of such libraries.

Sec. 7. It shall also be the duty of the Board to establish and maintain a  
 2 system of free traveling libraries and make such rules and regulations and im-  
 3 pose such conditions for the circulation of said libraries as may be necessary to  
 4 guard against the loss, destruction or injury thereof and secure the prompt sur-  
 5 render and return of the same.

Sec. 8. The free traveling libraries provided for in this Act shall consist  
 2 of a variety of well-selected books, not exceeding fifty volumes for each  
 3 library, and shall be loaned to such villages, towns or rural communities in  
 4 the State, or to such clubs, literary societies, or other organizations for circula-  
 5 tion among people thereof, as shall apply to the Board therefor, and shall com-  
 6 ply with the rules and regulations of the Board governing the circulation of such  
 7 libraries.

Sec. 9. The Board is hereby authorized to purchase the necessary books  
 2 and supplies for said traveling libraries and for said State Library, not in excess  
 3 of the appropriation thereof, the same to be the property of the State of Illinois.  
 4 The Board is also authorized to establish at its discretion a library fund for vol-  
 5 untary contributions or donations for the benefit of said libraries upon such  
 6 terms and conditions as they deem best, the principal or income therefrom to



7 be expended in such manner as will best increase interest in and promote the  
8 efficiency of said libraries, and it is also authorized to receive gifts or bequests  
9 of books suitable for said libraries.

Sec. 10. . No officer or member of said Board shall receive any compensa-  
2 tion for services as such officer or member. The actual expenses of members  
3 in attending meetings of the Board, and establishing libraries in this State, the  
4 actual expenses of any person sent by said Board to aid in organizing and im-  
5 proving libraries already established, when sent upon request of the officers of  
6 such libraries, the actual expenses of holding library institutes, the salary  
7 of the State Librarian and assistants, and all other necessary incidental ex-  
8 penses connected with the work of the Board shall be paid as hereinafter pro-  
9 vided. All bills incurred pursuant to this Act shall be certified by the Presi-  
10 dent and Secretary of the Board, to the Auditor of Public Accounts of this  
11 State who is hereby authorized to draw his warrants on the State Treasurer  
12 therefor to be paid out of the appropriation made for that purpose. All print-  
13 ing necessary to carry out the purposes of this Act shall be provided by the  
14 State out of funds not herein appropriated.

Sec. 11. It shall be the duty of said Board on or before the first day of  
2 January, A. D. 1909, and biennially thereafter, through its President and Sec-  
3 retary, to submit a report of its acts and doings to the Governor of the  
4 State, showing its receipts and expenditures, books and supplies purchased,  
5 number of traveling libraries formed and circulation of same, free public  
6 libraries aided or established and including a summary of the annual re-  
7 ports of all free public libraries in the State, which report of such free  
8 libraries shall be furnished to said Board, on request by the Librarians of

9 such libraries and such report of said Board shall be published as one of the  
10 Public Document Series.

Sec. 12. There is hereby appropriated the sum of six thousand dollars  
2 (\$6,000.00) per annum to carry into effect the provisions of this Act.

Sec. 13. An act entitled, "An Act to revise the law in relation to the  
2 State Library, approved February 25, 1874, in force July 1, 1874," and all other  
3 acts in conflict with this Act are hereby repealed.



Amendments to House Bill No. 207, adopted by the House April 29, 1907.

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AMENDMENT NO. 1.

Amend the title of House Bill No. 207 by striking out the period at the end of said title and add thereto the words "and making an appropriation for the same."

AMENDMENT NO. 2.

Amend House Bill No. 207 by striking out the word "State," in line three, section one, of the printed bill, and by inserting the word "extension" after the word "library," in said line three of section one of the printed bill.

AMENDMENT NO. 3.

Amend House Bill No. 207 by adding after the word "members," in line three, section one, of the printed bill, the words "not more than three of whom shall be members of the same political party."

AMENDMENT NO. 4.

Amend House Bill No. 207 by striking out sections 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13 thereof and inserting in lieu thereof the following:

Sec. 3. The said Board shall have power to make and carry into effect such  
 2 rules and regulations for its own government and for the conduct of the work  
 3 contemplated by this act and for the care and use of the books, papers, and furni-  
 4 ture purchased by said Board as they may deem proper. They shall have power  
 5 to fix the salary of the Secretary and to appoint such assistants as they may deem  
 6 necessary and to fix the salaries for the same.

Sec. 4. The Secretary elected by said Board shall have the custody and  
 2 charge of all books, papers and other things belonging to the said Board, and  
 3 shall perform such other duties as the Board shall prescribe.

Sec. 5. It shall be the duty of the said Board, as opportunity may offer, to  
 2 give advice and counsel or provide for the same through the Secretary or em-  
 3 ployees of the Board to all free libraries and to all persons and communities  
 4 which may propose to establish them, as to the best means of establishing and ad-  
 5 ministering such libraries, selecting and cataloging books, and other details of  
 6 library management; and said Board may, in the discharge of this duty, hold  
 7 library institutes in various parts of the State, conduct a summer school for  
 8 librarians, maintain periodical clearing houses, and issue such circulars, leaflets  
 9 or pamphlets, containing such suggestions and information as will, in its discre-  
 10 tion, encourage and aid in the establishment and conduct of such libraries: *Pro-*  
 11 *vided*, That nothing herein contained shall be construed as giving any authority  
 12 or control to the said Board herein created over the State Library or the State  
 13 Historical Library, both of which are now located in the State Capitol.

Sec. 6. It shall also be the duty of the said Board to establish and maintain  
 2 a system of free traveling libraries and make such rules and regulations and im-  
 3 pose such conditions for the circulation of said libraries as may be necessary to



4 guard against the loss, destruction or injury thereof and secure the prompt sur-  
5 render and return of the same.

Sec. 7. The free traveling libraries provided for in this act shall consist of  
2 a variety of well-selected books, and shall be loaned within the State to such  
3 cities, villages, towns, schools or rural communities or to such clubs, literary so-  
4 cieties, or other organizations for circulation among people thereof, as shall apply  
5 to the Board therefor, and shall comply with the rules and regulations of the  
6 Board governing the circulation of such libraries.

Sec. 8. The said Board is hereby authorized to purchase the necessary books  
2 and supplies for said traveling libraries, not in excess of the appropriation  
3 therefor, the same to be property of the State of Illinois. The Board is also au-  
4 thorized to establish at its discretion a library fund for voluntary contributions  
5 or donations for the benefit of said libraries upon such terms and conditions as  
6 they deem best, the principal or income therefrom to be expended in such manner  
7 as will best increase interest in and promote the efficiency of said library, and it is  
8 also authorized to receive gifts or bequests of books suitable for said libraries.

Sec. 9. No member of said Board shall receive any compensation for ser-  
2 vices as such member. The actual expenses of members in attending meetings  
3 of the Board, and establishing libraries in this State, the actual expenses of any  
4 person sent by said Board to aid in establishing, organizing and improving li-  
5 braries, the actual expenses of holding library institutes and conducting a sum-  
6 mer school for librarians, and maintaining periodical clearing houses, the salary  
7 of the Secretary and assistants, and all other necessary incidental expenses con-  
8 nected with the work of the Board shall be paid as hereinafter provided. All bills  
9 incurred pursuant to this act shall be certified by the President and Secretary of

10 the Board, to the Auditor of Public Accounts of this State, who is hereby author-  
11 ized to draw his warrants on the State Treasurer therefor to be paid out of the  
12 appropriation made for that purpose. All printing and binding necessary to  
13 carry out the purposes of this act shall be provided by the State under the State  
14 contracts for printing and binding.

Sec. 10. It shall be the duty of said Board on or before the first day of  
2 October, A. D. 1909, and biennially thereafter, through its President and Secre-  
3 tary, to submit a report of its acts and doings to the Governor of the State, show-  
4 ing its receipts and expenditures, books and supplies purchased, number of  
5 traveling libraries formed and circulation of the same, free public libraries aided  
6 or established and including a summary of the annual reports of all free public  
7 libraries in the State, which report of such free libraries shall be furnished to  
8 said Board, on request of said Board, by the Librarians of such libraries and  
9 such report of said Board shall be published as one of the Public Document  
10 series.

Sec. 11. There is hereby appropriated the sum of six thousand dollars  
2 (\$6,000.00) per annum to carry into effect the provisions of this act.

- 1 Introduced by Mr. Coyle, February 6, 1907.
- 2 Read by title, ordered printed and referred to Committee on Railroads.

## A BILL

For an Act making it unlawful for any steam railway or interurban railway doing business within the State, or any officer, agent or representative thereof, to issue, give or offer to any city, county, district, State or federal officer, including judges and members of the General Assembly or to any delegate to a political convention, to use in attending such convention or return therefrom, or to any member of any political committee or employe thereof, or to any candidate for a city, county, district, State or federal office, or to jurors in State or federal courts, any free pass, ticket or other privilege at rates less than charged the public. And prohibiting any city, county, district, State or federal officer, and any delegate to any county, district or state political convention, and any candidate for a county, district, State or federal office, and any member of any political committee or any employe thereof, and any juror in State or federal courts, to request or use any such free pass ticket or privilege, sold or conferred at a less rate than the rate charged the public, or any steam railroad or interurban railroad, and providing a penalty therefor.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That it shall be unlawful for any steam railway or interurban

3 company doing business within the State, or any officer, agent or representative  
 4 thereof, to issue, give or offer to any city, county, district, State or federal officer,  
 5 including judges and members of the General Assembly, or to any delegate to a  
 6 political convention, to use in attending such convention or return therefrom, or  
 7 to any member of any political committee or employe thereof, or to any candidate  
 8 for a city, county, district, State or federal office, or to jurors in State or federal  
 9 courts, any free pass, ticket or other privilege at rates less than charged the  
 10 public.

Sec. 2. No city, county, district, State or federal officer, and no delegate to a  
 2 county, district or State political convention, and no candidate for a county, dis-  
 3 trict, State or federal office, and no member of any political committee, or any  
 4 employe thereof, and no juror in State or federal courts, shall request or use any  
 5 such free pass, ticket or privilege, sold or conferred at a less rate than the rate  
 6 charged the public, over any steam railroad or interurban railroad.

Sec. 3. The holding of a notarial commission or a public office that pays no  
 2 fees, or salary, or a position as a member of the faculty or an officer of a State  
 3 educational institution, or acting as an officer or director of the Illinois State  
 4 Board of Agriculture, or a membership in the National Guard, or a membership in  
 5 the fire department of any city or the use of transportation in accompanying live stock  
 6 or perishable freight or the use of the return privilege, or riding or accepting trans-  
 7 portation upon a special train, run for the public safety, health or welfare, shall  
 8 not operate to place any person within the inhibition of this Act.

Sec. 4. Nothing in this Act contained shall be construed to prohibit the grant-  
 2 ing of excursion or party rates by any steam railroad or interurban railroad  
 3 company to any class of persons whomsoever.



Sec. 5. No person and no agent or officer, of any corporation within the pur-  
2 view of this Act shall be privileged from testifying in relation to anything herein  
3 prohibited; and no person having so testified shall be liable to any prosecution or  
4 punishment for any offense concerning which he was required to give his testimony  
5 or produce any documentary evidence.

Sec. 6. Any person convicted of a violation of any of the provisions of this Act  
2 shall be punished by imprisonment in the county jail not exceeding six months, or  
3 by a fine not exceeding five hundred dollars (\$500.00).

Approved ..... A. D. 1907.





1 Introduced by Mr. Adkins, February 7, 1907.

2 Read by title, ordered printed and referred to Committee on Judicial Department  
and Practice.

## A BILL

For An Act to amend section 12 of "An act concerning jurors, and to repeal certain  
acts therein named," approved and in force February 11, 1874, as amended by  
subsequent acts.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in*  
2 *the General Assembly:* That section twelve (12) of an act entitled "An Act con-  
3 cerning jurors, and to repeal certain acts therein named," approved and in force  
4 February 11, 1874, as amended by subsequent acts, be and the same is hereby  
5 amended to read as follows:

Sec. 12. The judge shall examine the jurors who appear, and if more than  
2 twenty-four petit jurors who are qualified and not subject to any exemption, or  
3 any of the disqualifications provided in this Act, shall appear and remain after all

4 excuses are allowed, the court shall discharge by lot the number in excess of  
5 twenty-four: *Provided, however, any qualified juror whose excuse is allowed may*  
6 *be excused to appear for service at a time to be specified by the court within six*  
7 *months therefrom, without further notice, and with the same legal effect as if he*  
8 *were duly summoned to appear for service at such later time.* If, for any reason,  
9 the panel of petit jurors shall not be full at the opening of such court, or at any  
10 time during the term, the clerk of such court may again repair to the office of the  
11 county clerk and draw in the same manner as at the first drawing such number of  
12 jurors as the court shall direct, to fill such panel, who shall be summoned in the  
13 same manner as the others, and, if necessary, jurors may continue to be so drawn  
14 and summoned from time to time until the panel shall be filled. In case a jury  
15 shall be required in such court for trial of any cause, before the panel shall be filled  
16 in the manner herein provided, the court shall direct the sheriff to summon from  
17 the bystanders, or from the body of the county, a sufficient number of persons  
18 having the qualifications of jurors, as provided in this Act, to fill the panel, in  
19 in order that a jury to try such cause may be drawn therefrom, and when such  
20 jury is drawn, the persons selected from the bystanders, or from the body of the  
21 county, to fill the panel, and not chosen on the jury, shall be discharged from the  
22 panel, and those who shall be chosen to serve on such jury shall also be discharged  
23 from the panel at the conclusion of the trial: *Provided, That persons selected*  
24 *from the bystanders, as provided in this section, shall not thereby be disqualified*  
25 *or exempt from service as jurors, when regularly drawn by the clerk for that*  
26 *purpose, in the manner provided in this Act.*

- 1 Introduced by Mr. Adkins, February 7, 1907.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

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## A BILL

For an act making appropriations for the erection of buildings for the University of Illinois.

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WHEREAS, the University of Illinois has grown with such great rapidity as to out-run all the facilities in building and equipment which have been thus far provided; and

WHEREAS, the trustees represent that they need now for the present work of the institution, among others, the following buildings and equipment, costing approximately the sums set opposite the same, amounting to \$2,350,000 namely:

Physics laboratory.....	\$ 250,000
Addition to natural history hall.....	250,000
Administration building.....	150,000
Armory .....	100,000
Addition to University hall .....	250,000

Addition to library building.....	150,000
Music and art building.....	150,000
Enlargement of engineering buildings.....	250,000
Law library stack.....	50,000
Museum building.....	250,000
Housing of medical school.....	250,000
Total .....	<u>\$2,350,000</u> and

WHEREAS, the trustees of the University have urgently requested that at least the sum of one million dollars (\$1,000,000) be appropriated by the legislature as a special grant for this purpose, in addition to other grants for the running expenses and support of the various departments of the University;

*Therefore, be it enacted by the People of the State of Illinois, represented in the*  
2 *General Assembly:* That the sum of one million dollars (\$1,000,000) be and is  
3 hereby appropriated out of any funds in the State treasury not otherwise appro-  
4 priated, for the purpose of erecting the following buildings, costing not to exceed  
5 the sums set opposite the same, namely:

6 Physics laboratory.....	\$ 250,000
7 Addition to natural history hall.....	150,000
8 Administration building.....	150,000
9 Armory .....	100,000
10 Addition to University hall.....	250,000
11 Addition to library building.....	100,000
12 Total.....	<u>\$1,000,000</u>

Sec. 2. That one-half of said sum of one million dollars (\$1,000,000) shall be  
2 payable July 1, 1907, and one-half July 1, 1908, and that the Auditor of Public



3 Accounts is hereby authorized and directed to draw his warrant on the Treasurer  
4 for the sums hereby appropriated, payable out of any money in the treasury not  
5 otherwise appropriated, upon the order of the board of trustees of said University,  
6 attested by its secretary and with the corporate seal of the University.



- 1 Introduced by Mr. Adkins, February 7, 1907.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

## A BILL

For an Act making appropriations for the University of Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:*

3 1. That there be and is hereby appropriated to the University of Illinois for  
4 the payment of salaries and for the ordinary operating expenses the sum of four  
5 hundred and fifty thousand dollars (\$450,000) per annum.

6 2. For materials for shop practice the sum of five thousand dollars (\$5,000)  
7 per annum,

8 3. For increase of historic, scientific and artistic cabinets and collections, two  
9 thousand dollars (\$2,000) per annum.

10 4. For additions to the library, thirty-five thousand dollars (\$35,000) per  
11 annum.

12        5. For additions to apparatus and appliances, three thousand dollars (\$3,-  
13    000) per annum.

14        6. For fire protection, fifteen hundred dollars (\$1,500) per annum.

15        7. For laying pavements and walks, three thousand dollars (\$3,000) per  
16    annum.

17        8. For maintenance and extension of Engineering College and expenses of  
18    the Engineering Experiment Station, one hundred thousand dollars (\$100,00)  
19    per annum.

20        9. For painting and repairs on buildings and improvements to grounds,  
21    twenty-eight thousand, six hundred and ninety dollars (\$28,690) per annum.

22        10. For carrying on the State water survey, six thousand dollars (\$6,000) per  
23    annum.

24        11. For draining, fencing and repairs on experimental farms, five thousand  
25    dollars (\$5,000) per annum.

26        12. For maintenance of the department of social and political science and in-  
27    dustrial economies, including instruction in banking, insurance, railway adminis-  
28    tration, etc., twenty-five thousand dollars (\$25,000) per annum.

29        13. For maintenance of the School of Music, three thousand dollars (\$3,-  
30    000) per annum.

31        14. For agricultural extension and also to enable the college to meet the de-  
32    mands for instruction at the farmers' institutes, six thousand dollars (\$6,000) per  
33    annum.

34 15. For equipment and support of the law school, twenty-five thousand dol-  
 35 lars (\$25,000) per annum.

36 16. For equipment and maintenance of the chemical laboratory, ten thousand  
 37 dollars (\$10,000) per annum.

38 17. For equipment and maintenance of the School of Pharmacy, ten thousand  
 39 dollars (\$10,000) per annum.

40 18. For maintenance of the Graduate School, fifty thousand dollars (\$50,000)  
 41 per annum.

42 19. For maintenance of veterinary college and research laboratory, thirty  
 43 thousand dollars (\$30,000) per annum.

Sec. 2. That there be and is hereby appropriated to the University of Illi-  
 2 nois the following sums for additions to the plant:

3 1. For additional equipment of water station, three thousand dollars (\$3,000).

4 2. For increase of the telephone exchange, fifteen hundred dollars (\$1,500).

5 3. For enlarging the general heating and lighting plant, fifty thousand dol-  
 6 lars (\$50,000).

7 4. For purchase of farm land, eleven thousand, six hundred dollars (\$11,-  
 8 600).

Sec. 3. The Auditor of Public Accounts is hereby authorized and directed  
 2 to draw his warrant on the Treasurer for the sums hereby appropriated, payable  
 3 out of any money in the treasury not otherwise appropriated, upon the order of



4 the Board of Trustees of said university, attested by its secretary, and with the  
5 corporate seal of the university: *Provided*, That no part of said sum shall be due  
6 and payable to said university until satisfactory vouchers in detail, approved by  
7 the Governor, shall be filed with the Auditor for all previous expenditures incurred  
8 by the university on account of the appropriations hitherto made: *And Provided*,  
9 *further*, That vouchers shall be taken in duplicate, and original or duplicate vouch-  
10 ers shall be forwarded to the Auditor of Public Accounts for the expenditure  
11 of the sums appropriated in this Act.

1 Introduced by Mr. ApMadoc, February 7, 1907.

2 Read by title, ordered printed and referred to Committee on Banks and Banking.

## A BILL

For an act to amend Section 17 of an act entitled "An Act to revise the law in relation to promissory notes, bonds, due bills and other instruments in writing," approved March 18, 1874, in force July 1, 1874, as amended by an act approved June 4, 1895, in force July 1, 1895, as amended by an act in force July 1, 1905.

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That Section 17 of an act entitled "An  
3 Act to revise the law in relation to promissory notes, bonds, due bills and other in-  
4 struments in writing," approved March 18, 1874, in force July 1, 1874, as amended  
5 by act approved June 4, 1895, in force July 1, 1895, as amended by an act in  
6 force July 1, 1905, be amended so as to read as follows:

Sec. 17. The following days, to-wit: The first day of January, commonly called  
2 New Year's day, the 22d day of February, the 30th day of May, the 4th day of  
3 July, the 25th day of December, commonly called Christmas day, the first Monday

4 in September, to be known as Labor Day, the 12th day of February, any day ap-  
 5 pointed or recommended by the Governor of this State, or by the President of the  
 6 United States, as a day of fast or thanksgiving, are hereby declared to be legal holi-  
 7 days; and the period from twelve o'clock noon to twelve o'clock midnight of the last  
 8 day of each week, commonly called Saturday, when said Saturday does not coincide  
 9 with any of the legal holidays hereinbefore named, is hereby declared to be a legal  
 10 half holiday; and such legal holidays and such legal half holidays shall for all pur-  
 11 poses whatsoever as regards the presenting for payment or acceptance, the maturity  
 12 and protesting and giving notice of the dishonor of bills of exchange, bank checks  
 13 and promissory notes, and other negotiable or commercial paper or instruments, be  
 14 treated and considered as is the first day of the week, commonly called Sunday.  
 15 When any such whole holidays fall upon Sunday, the Monday next following shall be  
 16 held and considered such holiday. All notes, bills, drafts, checks or other evidence  
 17 of indebtedness falling due or maturing on any of said whole holidays, shall be deemed  
 18 as due or maturing on the day following, and when two or more of such days come  
 19 together or immediately succeeding each other, then such instruments, paper or in-  
 20 debtedness shall be deemed as falling due or maturing on the day following the last  
 21 of such days. *All notes, bills, drafts, checks or other evidence of indebtedness fall-*  
 22 *ing due on a Saturday of which only the latter half is a holiday as aforesaid, may*  
 23 *be presented for payment, acceptance or protest either on such Saturday before twelve*  
 24 *o'clock, noon, or on the next succeeding business day, at the holder's election; and if*  
 25 *so presented for payment or acceptance on a Saturday before twelve o'clock, noon, of*  
 26 *said day, may again be presented for protest on the next succeeding business day.*

AMENDMENT TO

45th Assem.

HOUSE—No. 212

Apr. 1907

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Amendment to House Bill No. 212, adopted by the House, April 19, 1907.

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AMENDMENT NO. 1.

Amend House Bill No. 212 by inserting after the word "instruments" in line 13 of the printed bill on page 2 the words "and for no other purpose whatever."





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- 1 Introduced by Mr. Brady, February 7, 1907.
  - 2 Read by title, ordered printed and referred to Committee on Claims.

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## A BILL

For an act to pay Henry F. Stow and Martha J. Stow \$5,000 on account of the death of their son, George C. Stow, by drowning in the bathing pool at Camp Lincoln while in the discharge of his duty as private in Company K, First Regiment Infantry, Illinois National Guards, when in act of service.

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WHEREAS, George C. Stow, on the 6th day of July, A. D. 1901, at Camp Lincoln, Springfield, Illinois, while in service as a private in the First Regiment Infantry, Illinois National Guards, died from drowning, while in the discharge of his duty as a member of Company K of said Regiment, pursuant to the order of the Governor of Illinois; and

WHEREAS, the said George C. Stow left surviving him an aged father and mother, partially dependent upon him in his lifetime for their support, therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That \$5,000 be and the same is hereby appropriated out of the

3 treasury as compensation and relief of the said Henry F. Stow and Martha J. Stow,  
4 father and mother of the said George C. Stow, deceased, and that the Auditor of  
5 Public Accounts draw his warrant on the treasury therefor.

- 1 Introduced by Mr. Clark, February 7, 1907.
- 2 Read by title, ordered printed and referred to Committee on Fees and Salaries.

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FEES OF JUSTICES OF THE PEACE AND POLICE MAGISTRATES IN  
COUNTIES OF THE FIRST, SECOND AND THIRD CLASSES.

A BILL

For an act to amend section 40 of an act entitled, "An Act concerning fees and salaries, and to classify the several counties of this State with reference thereto," approved March 29, 1872, in force July 1, 1872, as amended by act approved May 2, 1873, in force July 1, 1873; title as amended by act approved March 28, 1874, in force July 1, 1874.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That section 40 of an act entitled, "An  
3 Act concerning fees and salaries, and to classify the several counties of this  
4 State with reference thereto," approved March 29, 1872, in force July 1, 1872,  
5 as amended by act approved May 2, 1873, in force July 1, 1873; title as amend-  
6 ed by act approved March 28, 1874, in force July 1, 1874, be and the same  
7 hereby is amended to read as follows:

Sec. 40. For taking and certifying acknowledgment of a deed, mortgage,  
2 power of attorney, or other writing, twenty-five cents.

3 For acknowledging and entering a chattel mortgage, when the the docket-  
4 ing is one hundred words or less, fifty cents, and fifteen cents for each hun-  
5 dred words over the first hundred for docketing the same.

6 For administering oath to affidavit, when drawn by justice, thirty-five cents.

7 For administering oath to affidavit, when not drawn by justice, ten cents.

8 For taking each bond, thirty-five cents.

9 For taking bail, fifty cents.

10 For each certificate required to be made, when not part of any other act,  
11 thirty-five cents.

12 For taking each complaint in writing, under oath, thirty-five cents.

13 For docketing each suit, twenty-five cents.

14 For taking depositions, for each hundred words, fifteen cents.

15 For issuing *dedimus* to take depositions of witnesses, fifty cents.

16 For entering verdict of jury, fifteen cents.

17 For entering judgments, twenty-five cents.

18 For issuing each execution, twenty-five cents.

19 For entering continuance, or any other order in the case, fifteen cents.

20 For entering each appeal, twenty-five cents.

21 For entering satisfaction of judgment, ten cents.

22 For entering the award of referees, fifty cents.

23 For administering oaths and trial, making all entries in cases of estrays,  
24 and making and transmitting a certificate thereof to the county clerk, one  
25 dollar.

26 For each marriage ceremony performed, and certificate thereof, two dol-  
27 lars.

28 For each *mittimus*, thirty-five cents.

29 For giving each notice, twenty-five cents. ✓

30 For administering oath, five cents.

31 For each summons or warrant, twenty-five cents.

32 For each subpoena, twenty-five cents.

33 For each *venire*, in all cases, twenty-five cents.

34 For each *scire facias*, thirty-five cents.

35 For issuing each attachment or writ of possession, fifty cents.

36 For taking recognizances, and returning the same, fifty cents.

37 For transcript in change of venue, fifty cents.



38 For transcript of judgment and proceedings in cases of appeal, fifty cents.

39 For transcript of judgment to obtain lien on real estate, one dollar.

40 For the trial of all contested cases, in counties of the first and second class,  
 41 a per diem of two dollars, except in cases of judgment by confession or default;  
 42 in all counties of the first and second class, the fees of the justices of the peace,  
 43 police magistrates, constables, jurors and witnesses in criminal cases, shall be  
 44 the same as those allowed for similar services in civil cases; and in all criminal  
 45 cases in counties of the first and second class when it shall appear that the  
 46 costs can not be collected of the party convicted, by a return by the proper  
 47 officer of an execution issued on a judgment rendered by a justice of  
 48 the peace of "no property found," or where the defendant shall have been  
 49 committed to any county jail or city prison for a failure to pay a fine and costs  
 50 and shall be discharged from such imprisonment according to law without the  
 51 actual payment in money of the costs adjudged against him, or where the pros-  
 52 ecution fails, or where a justice of the peace shall hold a preliminary exam-  
 53 ination of any person charged with the commission of a criminal offense, and  
 54 costs can not be collected of the party convicted in the higher court, as shown  
 55 in the manner hereinbefore provided in cases where justices of the peace  
 56 have full jurisdiction, or where the prosecution shall fail before the justice  
 57 of the peace or in the higher court, or where the grand jury shall return "not  
 58 a true bill," or where the defendant shall be taken to the penitentiary, the  
 59 county board shall pay the costs of the prosecution earned by such justice  
 60 of the peace, police magistrate or constable. The county board may in its dis-  
 61 cretion, direct that the other costs of the prosecution, or so much thereof as  
 62 may seem just and equitable, shall be paid out of the county treasury; but the

63 county board may in its discretion refuse to pay mileage for any distance  
64 not actually traveled by such constable: *Provided*, That the costs of the pros-  
65 ecution earned by any justice of the peace, police magistrate or constable in all  
66 criminal and *quasi* criminal prosecutions for the violation of an ordinance of  
67 an incorporated city or town, where the provisions of the charters of such  
68 towns or cities do not prohibit the payment of such costs, shall be paid by such  
69 city or town, and the other costs of the prosecution may be paid by such city  
70 or town, in the discretion of the council or board of trustees of such incorpo-  
71 rated cities or towns.



AMENDMENT TO

45th Assem.

HOUSE—No. 214

Mar. 1907

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Amendment to House Bill No. 214, adopted by the House, March 28, 1907.

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Amend House Bill No. 214, by adding after the word "constable" in line 60, section 1, the words "provided, however, that such suit shall have been instituted upon the authority of the public prosecutor."





Introduced by Mr. Clark, February 7, 1907.

Read by title, ordered printed and referred to Committee on Judiciary.

## A BILL

For an act to amend section 1 of Article II of an act entitled "An act to Revise the Law in relation to Justices of the Peace and Constables," approved June 26, 1895, in force July 1, 1895.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 1 of Article II of an act entitled "An act to revise the law in relation to Justices of the Peace and Constables," approved June 26, 1895, in force July 1, 1895, be, and the same hereby is amended to read as follows:

SEC. 1. Justices of the peace shall have jurisdiction in their respective counties in the following cases, when the amount claimed does not exceed five hundred dollars.

First—In actions arising on contracts, whether under seal or not, express or implied, for the recovery of money only. When the action is upon a bond, the amount to be recovered thereon, and not the penalty of the bond, shall determine the jurisdiction; and when the payments are to be made by installments, an action may be brought for any installment as it shall become due.

8       Second—In actions for damages for injury to real property, or for taking, de-  
9       taining or injuring personal property.

10       Third—In actions for rent and distress for rent.

11       Fourth—In actions against railroad companies and any person or company con-  
12       trolling, operating or using any railroad, for killing or injuring horses, cattle, sheep,  
13       hogs or other stock; for loss or injury to baggage or freight; and for injury or  
14       damage to real or personal property, caused by setting fire to the same by their  
15       engines, or otherwise.

16       Fifth—In actions of replevin, when the value of the property claimed does not  
17       exceed five hundred dollars.

18       Sixth—In actions for damages for fraud in the sale, purchase or exchange of per-  
19       sonal property, and in all cases where the action of debt or assumpsit will lie, if the  
20       damages claimed do not exceed five hundred dollars. This section shall apply to  
21       claims originally exceeding five hundred dollars, if the same shall at the time of  
22       rendition of the judgment, be reduced by credits or deductions to an amount not  
23       exceeding five hundred dollars.

24       Seventh—In all actions arising under the laws for the incorporation of cities,  
25       towns and villages, or any ordinance passed in pursuance thereof, where the amount  
26       claimed does not exceed five hundred dollars, and in all criminal and quasi criminal  
27       prosecutions for the violation of an ordinance of an incorporated city, town or  
28       village, when the punishment is by fine only and does not exceed two hundred dollars.

29       Eighth—In actions arising under the law in relation to dram shops, where the  
30       damage claimed does not exceed five hundred dollars.

31 Ninth—In all actions for the recovery of statutory fines or penalties in which  
32 the amount claimed does not exceed five hundred dollars. Actions by a third per-  
33 son for treble the value of money, goods, chattels and things lost at gaming, when  
34 the amount claimed does not exceed five hundred dollars, may be brought under  
35 this section.

36 Tenth—In all actions by and against towns, cities, villages, or other municipal  
37 corporations, which, if brought by an individual, might be brought before a justice  
38 of the peace.

39 Eleventh—To assess damages for sheep killed by dogs.

40 Twelfth—In proceedings against vagrants or vagabonds.

41 Thirteenth—In actions arising under the laws for the preservation of fish and  
42 game.

43 Fourteenth—In actions of forcible entry and detainer.

44 Fifteenth—In all criminal actions in which the punishment is by fine only, and  
45 does not exceed two hundred dollars; and such other jurisdiction as has been, or  
46 shall be, conferred by law.

47 Sixteenth—Wherever in any law of this State, jurisdiction of any person or  
48 subject matter is conferred upon a justice of the peace, when the amount in contro-  
49 versy shall not exceed his jurisdiction, whether such jurisdiction is expressed in  
50 general terms or is limited to two hundred dollars, justices shall continue to exercise  
51 the same jurisdiction as heretofore when the amount in controversy does not exceed  
52 five hundred dollars.

53 Seventeenth—In garnishment by attachment or summons the amount of the  
54 claim of the garnishor, and not the amount of the answer of the garnishee, shall  
55 determine the jurisdiction.



- 1 Introduced by Mr. Clark, February 7, 1907.
- 2 Read by title, ordered printed and referred to Committee on Miscellaneous Subjects.

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## A BILL

For An Act amending an act entitled "An Act to revise the law in relation to Criminal Jurisprudence," approved March 27, 1874, in force July 1, 1874.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*  
2 *General Assembly:* That an act entitled, "An Act to revise the law in relation to  
3 Criminal Jurisprudence," approved March 27, 1874, in force July 1, 1874, be and  
4 the same is hereby amended by adding thereto a section to be known as Section  
5 262a, and to read as follows:

Sec. 262a. Whoever keeps or maintains either by himself, agent or employee,  
2 on the first day of the week, commonly called Sunday, any place of amusement in  
3 any building, park, grounds or enclosure of any kind to which an admission fee  
4 is charged, either directly or indirectly, shall be guilty of a misdemeanor  
5 and shall be fined not to exceed the sum of two hundred dollars (\$200.00),  
6 and any shift, device or subterfuge to evade this Act shall be deemed a violation  
7 hereof.





- 1 Introduced by Mr. Coyle, February 7, 1907.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

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## A BILL

For an act making an appropriation for extending the tunnel, power, heat, light and sewerage at the Soldiers' and Sailors' Home at Quincy, to connect with the cottages to be built on said grounds by any county wishing to build said cottages.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in*  
2 *the General Assembly:* That the sum of fifteen thousand dollars (\$15,000) be,  
3 and the same is hereby appropriated to pay for extending the tunnel and connect-  
4 ing the power, heat and light and sewerage systems of the Soldiers' and Sailors'  
5 Home at Quincy to the proposed cottages to be built by county organizations.

Sec. 2. The Auditor of Public Accounts is hereby authorized to draw his war-  
2 rant on the State Treasury for the money herein appropriated, upon the order of  
3 the Board of Trustees of the Soldiers' and Sailors' Home at Quincy, signed by the  
4 President and Secretary of the Board for said repairs when completed, and said  
5 vouchers to be approved by the Governor of the State of Illinois.



1 Introduced by Mr. Coyle, February 7, 1907.

2 Read by title, ordered printed and referred to Committee on Public Charities.

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## A BILL

For An Act to amend section 5 of an act entitled, "An Act to regulate the State Charitable Institutions and the State Reform School, and to improve their organization and increase their efficiency," approved April 15, 1875, in force July 1, 1875, as amended by an act approved May 28, 1897, in force July 1, 1897, approved April 3, 1899, in force July 1, 1899.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That section 5 of an act entitled, "An Act to regulate the State  
3 charitable institutions and the State reform school, and to improve their organiza-  
4 tion and increase their efficiency," approved April 15, 1875, in force July 1, 1875,  
5 as amended by an act approved May 28, 1897, in force July 1, 1897.

Sec. 5. The object of the Soldiers' Orphans' Home shall be to provide for the  
 2 nurture and intellectual, moral, and physical culture of all indigent children whose  
 3 fathers served in the army or navy of the United States, and have died or been  
 4 disabled by reason of wounds or disease received therein or have since become dis-  
 5 abled or died; that there shall be received into said institution first, children who  
 6 are under the age of five years, who are in indigent circumstances, and then if the  
 7 means appropriated by the State will justify it, indigent children above that age  
 8 and below the age of fourteen years shall be received, and then if the means pro-  
 9 vided will justify, all other indigent orphans of such soldiers may be received, but  
 10 none over the age of sixteen years shall be received, at which age all children shall  
 11 be discharged therefrom except girls, who may be retained until they are eighteen  
 12 years old, and the trustees may discharge at any time any child for persistent viola-  
 13 tion of the rules of said home, or when in their judgment it is necessary for the  
 14 best interest and good government of the same; and the said trustees shall have the  
 15 authority to procure permanent homes for any orphan child admitted to the home,  
 16 and also for any child by first obtaining the consent of the parents, if either of  
 17 them are living and can be found; and said trustees shall make such rules and reg-  
 18 ulations in regard to the manner of making contracts with any responsible parties  
 19 who may take any of said children to raise: *Provided*, That in special cases of  
 20 peculiar inability of any child to support itself, the trustees may retain such child,  
 21 although over the age of sixteen years, and until the child has reached the age of  
 22 eighteen years.

23 *Provided*, When all the above children have been admitted who have made  
 24 application and there is room to accommodate more children, then any dependent  
 25 orphan child under the age of eight years, who has been a resident of this State for



26 four years or more, shall be admitted to said institution. It shall be the duty of  
27 the superintendent of said institution to place all children admitted to this home in  
28 private homes whenever applications are made by worthy and responsible people.  
29 He shall make a report annually of each child so placed, of the school work and  
30 health and general condition of each child in his report to the State Board of  
31 Charities.



1 Introduced by Mr. Coyle, February 7, 1907.

2 Read by title, ordered printed and referred to Committee on Insurance.

## A BILL

For an act to amend Section 2 of an act entitled, "An act to provide for the establishment of an insurance department and the appointment of an insurance superintendent," approved June 20, 1893, in force July 1, 1893.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in*  
2 *the General Assembly:* That Section 2 of an act entitled, "An act to provide for  
3 the establishment of an insurance department and the appointment of an insur-  
4 ance superintendent," approved June 20, 1893, in force July 1, 1893, be, and the  
5 same is hereby, amended so as to read as follows:

SECTION 2. The Insurance Superintendent shall at the election in November,  
2 1908, and every four years thereafter, be elected by the qualified voters of this  
3 State, and shall hold his office for the term of four years, and until his successor  
4 is elected and qualified. Before entering upon the discharge of his duties such In-  
5 surance Superintendent shall take and subscribe to an oath of office, to be filed

6 with the Secretary of State and shall give a bond to the People of the State of  
7 Illinois in the penal sum of one hundred thousand (100,000) dollars, with sufficient  
8 sureties, conditioned for the faithful discharge of his duties, which bond, when ap-  
9 proved by the Governor of the State, shall be filed with the Secretary of State,  
10 and that he will deliver up all papers, books, records and other property apper-  
11 taining to his office, whole and safe to his successor in office. Such superintendent  
12 shall receive in full compensation for his services an annual salary of seventy-five  
13 hundred.(7,500) dollars, payable quarterly.

14 And it is further herein provided that the title, "Superintendent of Insurance,"  
15 is hereby changed to "Commissioner of Insurance." And the head of the Insur-  
16 ance Department shall hereafter, upon the adoption of this amendment, be known  
17 and designated as the "Commissioner of Insurance" in all official acts done by him.

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- 1 Introduced by Mr. Erby, February 7, 1907.
  - 2 Read by title, ordered printed and referred to Committee on Insurance.

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## A BILL

For an act to amend section 14 of an Act entitled "An Act to organize and regulate the business of Life Insurance," (approved March 26, 1869, in force July 1, 1869).

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That Section 14 of an Act entitled "An Act to organize and regulate the business of life insurance," (approved March 26, 1869, in force July 1, 1869,) be and the same is hereby amended so as to read as follows:

Sec. 14. Life insurance companies doing business in this State which do business upon the principle of mutual insurance, or the members of which are entitled to share in the surplus funds thereof, may make distribution of such surplus as they have accumulated, annually, or once in two, three, four or five years, as the directors thereof may from time to time determine. In determining the amount of the surplus to be distributed, there shall be reserved an amount of not less than the aggregate net value of all outstanding policies, computed in accordance with the provisions of Section 10 hereof.





AMENDMENT TO

45th Assem.

HOUSE—No. 220

May, 1907

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Amendment to House Bill No. 220, adopted by the House May 4, 1907.

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Amend House Bill No. 220 by striking out all of line 4 of the printed bill after the word “accumulated” to and including the word “determine,” in line 5.



- 1 Introduced by Mr. Flannigen, February 7, 1907.
- 2 Read by title, ordered printed and to a second reading without reference.

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## A BILL

For an act to amend section 15A of an act entitled, "An Act to provide for drainage for agricultural and sanitary purposes, and to repeal certain acts therein named," approved June 27, 1885, in force July 1, 1885, as amended by act approved June 21, 1895, in force July 1, 1895.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That section 15A of an act entitled, "An  
3 Act to provide for drainage for agricultural and sanitary purposes, and to re-  
4 peal certain acts therein named," approved June 27, 1885, in force July 1, 1885,  
5 as amended by act approved June 21, 1895, in force July 1, 1895, be amended so  
6 as to read as follows:

Sec. 15A. Upon the organization of any drainage district as provided in  
2 section 15 of this Act, the duties and obligations of the Commissioners of High-

ways, as said Drainage Commissioners of said district shall cease as soon as Drainage Commissioners shall have been elected and qualified as herein provided. It shall be the duty of the town clerk to call an election in each district in his township, including the new districts organized during the previous year, by giving ten (10) days' notice that an election will be held (specifying time and place), said notices shall be posted in three (3) conspicuous places in said districts. Elections shall be held in the several drainage districts organized under this Act on the second Saturday in March of each year, between the hours of 2 and 6 o'clock P. M.

At the first election in each district there shall be elected three (3) commissioners, one for one year, one for two years, and one for three years, and annually thereafter, one Drainage Commissioner shall be elected who shall hold his office three years, and until his successor is elected and qualified. Every adult owner of land in the district, whether residing within or without the district, shall be a voter, and if a resident of the county in which the district or any part thereof lies, eligible to the office of Drainage Commissioner. Said elections shall be conducted after the manner provided by law governing school elections. Commissioners of Highways, shall act as judges and clerk of the first election held in any district; thereafter the Drainage Commissioners shall act as judges and clerk of elections in their respective districts. If said commissioners be not present, it shall be competent for the electors present to select judges and clerk of said election. Returns of said election shall be made to the town clerk, who shall record the same in a book kept for that purpose. Said Commissioners shall take the oath of office before some officer authorized to administer oaths. Said Commissioners shall be known by the corporate name of Drainage Commissioners of .....District No. ....of the town of .....County of .....



29 State of Illinois, and by that name shall be a body politic and corporate, and may  
 30 sue and be sued, plead and be impleaded, contract and be contracted with, and  
 31 shall be the corporate authority of their respective districts. Before entering  
 32 upon their duties as herein provided, the Drainage Commissioners shall take  
 33 and subscribe an oath substantially as follows, viz:

34 We.....Drainage Commissioners of drainage district No.....do  
 35 solemnly swear (or affirm) that we will faithfully and impartially perform the  
 36 duties required of us to the best of our understanding and judgment and make as-  
 37 sessment of damages and benefits (or benefits as the case may be), in favor of  
 38 or against the land in said district, according to law.

39 *When a vacancy occurs amongst the Drainage Commissioners, elected un-*  
 40 *der this Act, it shall be the duty of the surviving Commissioner or Commis-*  
 41 *sioners to call an election to fill the vacancy. The Commissioners shall give*  
 42 *not less than ten (10) days' notice of the time when and place where the election*  
 43 *will be held, and the ballot shall state that the Commissioner or Commissioners*  
 44 *are being elected to fill a vacancy.*

Sec. 2. WHEREAS, There are now vacancies among the Commissioners in  
 2 drainage districts in the State incorporated under this Act, and there is no pro-  
 3 vision in the act for the filling of such vacancies, therefore an emergency exists,  
 and this Act shall be in force from and after its passage.



- 1 Introduced by Mr. Golden, February 7, 1907.
- 2 Read by title, ordered printed and referred to Committee on Education.

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## A BILL

For an act to promote Bible reading in public schools.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That portions of the Bible be read with-  
3 out sectarian comment in the public schools of the State of Illinois.



- 1 Introduced by Mr. Haase, February 7, 1907.
- 2 Read by title, ordered printed and referred to Committee on Agriculture.

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## A BILL

For an act entitled "An Act providing for the investigation of insect injury to the corn crop in this State and making an appropriation therefor."

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WHEREAS, Vast and serious insect injury and damage has been rendered and inflicted upon and to the corn crop in various sections of this State; and,

WHEREAS, The large and rapidly growing loss from such insect injury threatens the corn crop of Illinois unless the cause thereof is shortly checked, exterminated and destroyed; and,

WHEREAS, The present appropriation for the Agricultural Experiment Station is entirely inadequate for this use and department, and the following legislation therefor becomes imperative and necessary:

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That there be and hereby is appropriated



3 the sum of twenty-five thousand dollars (\$25,000) for the purpose of enabling the  
4 Agricultural Experiment Station of this State to investigate, experiment and deter-  
5 mine the cause and remedy of said insect injury to the corn crop of this State, and  
6 that said investigation and experiment be conducted towards the view and the end of  
7 exterminating the cause of said insect injury, and to the discovery of methods pro-  
8 tecting the corn crop of this State from loss or injury by insect causes, and the de-  
9 velopment and discovery of such remedies as will check further loss and injury to the  
10 corn crop from said insect causes, and that the results of such investigation and ex-  
11 periment together with the recommendation of the said Agricultural Experiment Station,  
12 be published and disseminated among the corn growers and other persons in this State  
13 affected or interested in the results and discoveries of such investigations and experi-  
14 ments.

Sec. 2. That the Auditor of Public Accounts be, and he is hereby authorized  
2 and directed to draw his warrant on the State Treasurer for the sums herein appro-  
3 priated upon the order of the Chairman of the Board of Trustees of the Uni-  
4 sity of Illinois, countersigned by its secretary and with the corporate seal of the said  
5 University thereto attached.

1 Introduced by Mr. Heintz, February 7, 1907.

2 Read by title, ordered printed and referred to Committee on Roads and Bridges.

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## A BILL

For an act to amend section forty-nine (49) of "An Act to provide for the organization of road districts, the election and duties of officers therein, and in regard to roads and bridges in counties not under township organization, and to repeal an act and parts of acts therein named," approved May 4, 1887, in force July 1, 1887.

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Sec. 49. The following compensation shall be allowed to the officers provided for by this Act:

1. The commissioners of highways shall each receive for each day necessarily employed in the discharge of their duties, the sum of *two* dollars, upon a sworn statement to be filed by each commissioner in the district clerk's office, showing the number of days he was employed, and the kind of employment, and giving the dates thereof.

8     2. The justice of the peace required by this Act to assist in canvassing the  
9 vote, shall receive the sum of *two* dollars per day for his services.

10     3. The district clerk shall receive *two* dollars per day for each day he shall be  
11 in attendance at a meeting of the board, and the same amount per day for the  
12 time he shall be employed as clerk of election, or in canvassing the returns of such  
13 election. He shall receive no other per diem. In addition to the above he shall  
14 also receive fees for the following services, to be paid out of the district funds,  
15 except where otherwise specified: For serving notice of election or appointment  
16 upon district officers, as required by this Act, twenty-five cents each. For posting  
17 up notices required by law, twenty-five cents each. For copying any record in his  
18 office and certifying to the same, ten cents for every one hundred words, to be paid  
19 by the person applying for the same. Such clerk shall also, as treasurer, receive  
20 one per cent on all moneys received, not received from his predecessor, and one per  
21 cent on all moneys paid out, not paid to his successor.

- 1 Introduced by Mr. Heintz, February 7, 1907.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

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## A BILL

For an act making appropriations for procuring documents, papers, materials and publications relating to the Northwest and the State of Illinois.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of five thousand dollars (\$5,000) per annum be and is hereby appropriated for the purpose of securing copies of papers, documents, materials and publications relating to the Northwest and the State of Illinois and publishing the same; the same to be expended by the trustees of the Illinois State Historical Library with the sanction of the Governor.





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- 1 Introduced by Mr. Heint, February 7, 1907.
  - 2 Read by title, ordered printed and referred to Committee on County and Town-  
ship Organization.

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## A BILL

For an act to amend an act entitled, "An Act to provide for the better preservation of official documents and records of historical interest," approved June 9, 1897, in force July 1, 1897.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That an act entitled, "An Act to pro-  
3 vide for the better preservation of official documents and records of historical  
4 interest," approved June 9, 1897, in force July 1, 1897, be and the same is  
5 hereby amended so as to read as follows:

Sec. 1. The board of supervisors or board of county commissioners, as  
2 the case may be, of every county, *and the city council or board of trustees*  
3 *of every city, town or village* in this State may, by order or resolution, author-  
4 ize and direct to be transferred to *the Illinois State Historical Society,*

5 the Illinois State Historical Library or to the State University Library at Ur-  
 6 bana, Illinois, or to any historical society duly incorporated and located within  
 7 their respective counties, such official papers, drawings, maps, writings and rec-  
 8 ords of every description as may be deemed of historic interest or value, and  
 9 as may be in the custody of any officer of such county, city, town or village.  
 10 Accurate copies of the same when so transferred shall be substituted for the  
 11 originals when in the judgment of such county board, city council or board of  
 12 trustees the same may be deemed necessary.

Sec. 2. It shall be the duty of the officer or officers having the custody of  
 2 such papers, drawings, maps, writings and records to permit search to be  
 3 made at all reasonable hours and under their supervision for such as may be  
 4 deemed of historic interest, and whenever so directed by the board of supervisors  
 5 or county board, city council or board of trustees of such county, city, town or  
 6 village in the manner prescribed in the foregoing section to deliver the same  
 7 to the trustee, directors or librarian or other officer of the library or society  
 8 designated by said board of supervisors or county board, city council or board  
 9 of trustees, as the case may be.

Sec. 3. The board of supervisors, county board, city council and board  
 2 of trustees of the several counties, cities, towns and villages in this State shall  
 3 have power to make reasonable appropriations from their respective revenues  
 4 for the purpose of carrying the provisions of this Act into effect.

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- 1 Introduced by Mr. Heinl, February 7, 1907.
  - 2 Read by title, ordered printed and referred to Committee on Geological Survey.

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## A BILL

For an act to provide for the promotion of historical research in the several counties  
of the State.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* That the several counties, cities, towns and  
3 villages in this State, acting through their constituted authorities, shall have pow-  
4 er to encourage and promote historical research within their respective jurisdic-  
5 tions by making reasonable appropriations for the publication of the proceedings  
6 of such papers and other documents of historic interest as may be furnished by  
7 any historic or other society engaged in historic research, and for ascertaining  
8 and marking the location of ancient forts, villages, missions, military encamp-  
9 ments, habitations of aborigines and other places of historic interest, and to pro-  
10 vide for the manner in which and the purposes for which such appropriations  
11 shall be expended.

Sec. 2. The authorities of such counties, cities, towns and villages having  
2 so undertaken the publication of the proceedings, papers and documents men-  
3 tioned in the first section of this Act shall have power to cause the same to be  
4 printed or published in book or pamphlet form and to provide for the sale thereof  
5 at such prices as in their judgment will reimburse the cost of publication.

- 1 Introduced by Mr. Lane, February 7, 1907.
- 2 Read by title, ordered printed and referred to Committee on Miscellaneous Subjects.

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## A BILL

For an act making it unlawful to make or keep any picture of prisoners who have not been convicted of a criminal offence, without their consent.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* That it shall be unlawful for any person  
3 or persons, having in charge, custody or control any prisoner, to take or cause  
4 to be taken or permit others to take any photograph or to make or permit to be  
5 made any picture or representation of any such prisoner, unless such prisoner  
6 shall have been convicted of a crime above the grade of a misdemeanor and un-  
7 less such prisoner shall in writing signed by such prisoner consent. That any  
8 person violating the provisions of this Section shall on conviction thereof, be  
9 confined in the county jail not less than six months nor more than two years.



Sec. 2. It shall be unlawful for any person or persons or corporation to  
2 have in his or its possession, charge, custody or control any photograph or gra-  
3 phic representation being or purporting to be a picture or representation of any  
4 person, which was or may be taken or made while such prisoner is in the control  
5 or custody of the law unless such person shall have been convicted of a felony  
6 previous to the taking or making of such picture or representation or unless  
7 such person shall have consented in writing to the taking or making of such pic-  
8 ture or representation. Any person or persons violating the provision of this  
9 Section shall upon conviction thereof be confined in the county jail for a period  
10 not less than one year nor more than two years.

1 Introduced by Mr. Lantz, February 7, 1907.

2 Read by title, ordered printed and referred to Committee on Manufactures.

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## A BILL

For an act to amend Section (5) of an Act entitled "An Act to regulate the manufacture, transportation, use and sale of explosives, and to punish an improper use of the same," approved June 16, 1887, in force July 1, 1887.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in*  
2 *the General Assembly:* That Section five (5) of an Act entitled "An Act to regu-  
3 late the management, transportation, use and sale of explosives, and to punish an  
4 improper use of the same," approved June 16, 1887, in force July 1, 1887, be and  
5 the same is hereby amended to read as follows:

Sec. 5. That no person, firm, company or corporation shall keep or store within  
2 the limits of any incorporated city or village any dynamite, nitro-chlorate, nitro-  
3 glycerin, or any other explosive compound or fluid, in a greater quantity than  
4 one hundred (100) pounds of dynamite or its equivalent in explosive force of any  
5 other explosive compound or fluid, at any one time or any one place less than five

6 hundred yards distant from such other place where such explosive compounds or  
7 fluids are kept and stored; nor more than one thousand (1,000) pounds of such  
8 explosive compound or its equivalent in explosive force of any other explosive  
9 compound or fluid within five hundred (500) yards of any inhabited dwelling house  
10 outside the limits of any city or village. Any violation of this Section shall be  
11 deemed a misdemeanor and shall be punished by a fine of not less than one hundred  
12 dollars (\$100) and not more than five hundred dollars (\$500), or imprisonment in  
13 the county jail not more than one year, or both in the discretion of the court.

- 1 Introduced by Mr. McLaughlin, February 7, 1907.
- 2 Read by title, ordered printed and referred to Committee on Warehouses.

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## A BILL

For an act providing for the licensing, regulation and inspection of cold storage  
warehouses and regulating the sale of articles of food stuffs stored therein.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That it shall be unlawful for any person  
3 or corporation to carry on, engage in or conduct the business of storing perish-  
4 able food or keep, maintain or operate a cold storage warehouse where meats,  
5 fish, eggs, poultry, game, fruits, farm or garden produce or other perishable  
6 food stuffs are stored within the limits of any incorporated city or village in  
7 this State without first having obtained a license for such business as herein-  
8 after provided.

Sec. 2. Any person or corporation desiring to carry on, engage in or con-  
2 duct the business of storing perishable food or to keep, maintain or operate a  
cold storage warehouse where meats, fish, eggs, poultry, game, fruits, farm or

4 garden produce, or other perishable food stuffs are stored, shall make applica-  
 5 tion in writing to the Mayor or President of the Board of Trustees for that pur-  
 6 pose in which application shall be described the location at which said business  
 7 is proposed to be carried on. Such application shall be accompanied by a re-  
 8 port or certificate, from the commissioner of health of any city or village where  
 9 such officer may exist, and in such cities or villages having no commissioner of  
 10 health or any officer performing the duties of such commissioner, then such ap-  
 11 plication shall be accompanied by a certificate or report from the State Board  
 12 of Health, stating whether the place in which such applicant proposes to carry  
 13 on such business is in a sanitary condition and is a fit place in which to carry on  
 14 such business. If such report shall be to the effect that such place is a fit place  
 15 and in a sanitary condition in which to carry on said business the Mayor or Pres-  
 16 ident of the Board of Trustees shall cause to be issued to such applicant a license  
 17 authorizing such applicant to carry on the said business for and during the  
 18 period for which said license shall be issued upon payment by such applicant to  
 19 the proper authorities of any such incorporated city or village of a license fee  
 20 of five hundred dollars (\$500) annually, and the filing of a bond running to the  
 21 incorporated city or village as the case may be, with at least two sureties to be  
 22 approved by the Mayor or President of the Board of Trustees in the sum of ten  
 23 thousand dollars (\$10,000), conditioned that such licensed person or corporation  
 24 shall faithfully observe and obey all the laws of the State of Illinois and the or-  
 25 dinances of such incorporated city or village as the case may be, now in force  
 26 or which may hereafter be passed with reference to such business.

Sec. 3. Whenever any meats, fish, eggs, poultry, game, fruits, farm or gar-  
 2 den produce or perishable food stuffs of any kind or character are placed in stor-  
 3 age at such cold storage warehouse, each package, box, bale, barrel, tub, or other



4 receptacle in which such articles of food are packed shall be plainly stamped with  
5 a stamp showing the date that such articles of food were placed in said cold  
6 storage warehouse. Such stamp shall not be removed, defaced, altered or de-  
7 stroyed at any time while said articles of food remain in said receptacle, nor  
8 shall said articles of food be removed or transferred from a receptacle so  
9 stamped to another while the said articles of food remain in said cold storage  
10 warehouse, nor shall the said articles of food be removed to another cold stor-  
11 age warehouse except upon the written permission of the commissioner of health  
12 of any city or village where such officers may exist, and in such cities or villages  
13 having no commissioner of health or any officer performing the duties of such  
14 commissioner then such permission shall be obtained from the State Board of  
15 Health, or do anything which shall cause the stamp so affixed to a receptacle  
16 containing such article of food to indicate a different date from the one on which  
17 the said articles of food were first placed in a cold storage warehouse shall be  
18 subject to the penalty hereinafter provided for.

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8 articles of food are sold, offered or exposed for sale, shall be plainly stamped  
9 with the stamp of every such warehouse where such aforementioned articles of  
10 food have been stored showing the date that such aforementioned articles of  
11 food were placed in such cold storage warehouse.

Sec. 6. It shall be unlawful for any person, persons, firm or corporation to  
2 have in its possession with the intention of selling, or offering or exposing for  
3 sale any package, box, bale, barrel, tub or other receptacle, in which any meats,  
4 fish, eggs, poultry, game, fruits, farm or garden produce, or other perishable  
5 food stuffs are packed or contained and which have been taken or removed from  
6 any cold storage warehouse where the stamp showing the date, such articles of  
7 food were placed in any such cold storage warehouse has been removed, de-  
8 faced, altered, or destroyed, or is not plainly legible.

Sec. 7. Whenever any meats, fish, eggs, poultry, game, fruits, farm or gar-  
2 den produce or other perishable food stuffs have been retained for a period of  
3 six months, notice shall be given within five days thereafter to the commis-  
4 sioner of health of any such city or village where such officer may exist and in  
5 such cities or villages having no commissioner of health or any officer perform-  
6 ing the duties of such commissioner, then to the State Board of Health by the  
7 owner, manager, superintendent or person in charge of such cold storage ware-  
8 house, and thereupon it shall be the duty of said commissioner of health of any  
9 such city or village where such officer may exist and in such cities or villages  
10 having no commissioner of health or any officer performing the duties of such  
11 commissioner, it shall be the duty of the State Board of Health to cause such  
12 food stuffs to be inspected, and in case they are found upon inspection to be fit  
13 for use, such food stuffs may be sold with the consent of the owner of same to

14 the highest bidder for immediate consumption, the proceeds of such sale to go  
15 to the owner thereof; but if such owner refuses to allow such food stuffs to be  
16 sold in the manner aforesaid, then it shall be within the discretion of the com-  
17 missioner of health or State Board of Health as the case may be, to condemn  
18 the same at once or permit it to be retained in such cold storage warehouse for  
19 a limited time to be fixed by him or it, at his or its discretion, at the end of which  
20 time it shall be condemned as unfit for use.

Sec. 8. Every keeper of a cold storage warehouse shall allow the commis-  
2 sioner of health or the State Board of Health, as the case may be, and all other  
3 duly authorized employes of any such department of health or State Board of  
4 Health to fully and freely inspect all such articles of food so stored, and shall  
5 answer all reasonable and proper questions asked by such officers or employes  
6 relating to the condition and age of such articles of food, and said  
7 articles of food shall be subject to condemnation and destruction  
8 in like manner as all other unwholesome or decayed food as provided for by the  
9 health ordinances of any such city or village and the health laws of this State,  
10 and the discretion of the health officers of any such city or village or of the State  
11 Board of Health in regard to such food so stored, shall be the same as their  
12 discretion in regard to all other foods as provided for by the ordinances of any  
13 such city or village relating thereto, or the laws of the State of Illinois likewise  
14 thereto relating.

Sec. 9. Any person, persons, firm or corporation violating any of the pro-  
2 visions of this Act shall be deemed guilty of a misdemeanor and upon convic-  
3 tion thereof shall be fined not less than two hundred dollars (\$200) nor more  
4 than one thousand dollars (\$1,000) for each offense.





Amendments to House Bill No. 230, adopted by the House May 6, 1907.

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AMENDMENT NO. 1.

Amend House Bill No. 230, in lines 12 and 13 of Section 7, by striking out the words “and in case they are found upon inspection to be fit for use,” and inserting in lieu thereof the words “and after such inspection.”

AMENDMENT NO. 2.

Amend House Bill No. 230, Section 2, line 20, by striking out the words “five hundred dollars (\$500.00)” and inserting the words and figures “fifty dollars (\$50.00).”

AMENDMENT NO. 3.

Amend House Bill No. 230 by amending title by inserting after the word “Therein” the following: “or in any cold storage warehouse.”





1 Introduced by Mr. Mills, February 7, 1907.

2 Read by title, ordered printed and referred to Committee on Fees and Salaries.

---

## A BILL

For an act to amend an act entitled "An Act concerning Fees and Salaries, and to classify the several counties of this State with reference thereto," approved March 29, 1872, in force July 1, 1872, title as amended by act approved March 28, 1874, in force July 1, 1874, by adding thereto section 9a.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in*  
2 *the General Assembly:* That "An act concerning fees and salaries, and to classify  
3 the several counties of this State with reference thereto," approved March 29, 1872,  
4 in force July 1, 1872, title as amended by act approved March 28, 1874, in force  
5 July 1, 1874, be and the same is hereby amended by adding thereto Section 9a to  
6 read as follows:

SECTION 9a. Each State's Attorney in counties of the third class, hereafter to  
2 be elected, at the end of each and every year after entering upon the duties of his  
3 office and within ten days after the expiration of his term of office shall pay all  
4 fees collected and remaining in his hands into the county treasury of his county.



AMENDMENTS TO

45th Assem.

HOUSE—No. 231

Mar. 1907

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Adopted by the House March 20, 1907.

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AMENDMENT NO. 1.

Amend House Bill No. 231, by inserting on the 4 line of the title after the words "Force July 1, 1874," the words following: "Act as amended by an act approved May 15, 1903, in force July 1, 1903."

AMENDMENT NO. 2.

Amend House Bill No. 231, by inserting in line 5, section 1 of said bill, after the words "July 1, 1874," the following words: "act as amended by an act approved May 15, 1903, in force July 1, 1903."





1 Introduced by Mr. Mills, February 7, 1907.

2 Read by title, ordered printed and referred to Committee on Fees and Salaries.

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## A BILL

For an act providing for the payment by the County of Cook of further compensation to the State's Attorney of said county.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in*

2 *the General Assembly:* That the State's Attorney of Cook County shall be paid by  
3 the said County, in addition to the salary which may be paid to him from the State  
4 Treasury, such further compensation as will make his salary amount to the sum of  
5 ten thousand dollars per annum, which sum shall be in full payment for all  
6 services rendered by him.

Sec. 2. The said compensation shall be paid in equal quarterly installments; and

2 it shall be the duty of the County Comptroller of said County, at the end of each

3 and every quarter of the year, to draw an order or warrant therefor in favor of the  
4 State's Attorney on the County Treasurer of said county, whose duty it shall be to  
5 pay the same on its presentation properly endorsed.

Sec. 3. All laws or parts of laws in conflict herewith are hereby repealed.

- 1 Introduced by Mr. Mills, February 7, 1907.
- 2 Read by title, ordered printed and referred to Committee on Insurance.

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## A BILL

For an act to amend section 1 of Article XIV of an act entitled "An Act to establish and maintain a system of free schools," approved and in force May 21, 1889, and all acts amendatory thereto,

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That section 1 of Article XIV of an act  
3 entitled "An Act to establish and maintain a system of free schools," approved  
4 in force May 21, 1889, and all acts amendatory thereto, be and the same is  
5 hereby amended to read as follows:

6 *That in counties of the first and second class,* all fines, penalties and forfeit-  
7 ures, imposed or incurred in any of the courts of record, or before any Justice  
8 of the Peace of this State, except fines, forfeitures and penalties incurred or  
9 imposed in incorporated towns or cities for the violation of the by-laws or or-  
10 dinances thereof, shall when collected, be paid to the County Superintendent

11 of Schools of the said county wherein such fines, penalties or forfeitures have  
12 been imposed or incurred, and the County Superintendent of Schools shall give  
13 his receipt therefor to the person from whom such fine, forfeiture or penalty  
14 was received. The said County Superintendent shall annually distribute such  
15 fines, penalties or forfeitures in the same manner as the common school funds of  
16 the State are distributed.

17 In counties of the third class the said fines, penalties or forfeitures so im-  
18 posed or incurred as aforesaid shall, when collected, be paid into the County  
19 Treasury.

Sec. 2. All acts or parts of acts in conflict with this Act are hereby re-  
2 pealed.

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- 1 Introduced by Mr. Musgrave, February 7, 1907.
  - 2 Read by title, ordered printed and referred to Committee on Insurance.

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## A BILL

For an act to amend section 10 of an act entitled, "An Act to organize and regulate the business of life insurance," approved March 26, 1869, in force July 1, 1869,

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That section 10 of an act entitled, "An  
3 Act to organize and regulate the business of life insurance," approved March  
4 26, 1869, in force July 1, 1869, be and the same is hereby amended so as to read  
5 as follows:

Sec. 10. When the actual funds of any life insurance company doing  
2 business in this State are not of a net value equal to the net value of its poli-  
3 cies according to the basis and minimum standards herein prescribed or au-  
4 thorized, it shall be the duty of the Insurance Superintendent to give notice  
5 to such company and its agents to discontinue issuing new policies within this



6 State until such time as its funds have become equal to its liabilities, valu-  
7 ing the policies as aforesaid. Any officer or agent who, after such notice  
8 has been given, issues or delivers a new policy from and on behalf of such  
9 company before its funds have become equal to its liabilities as aforesaid,  
10 shall forfeit for each offense a sum not exceeding \$1,000.

11 The Insurance Superintendent shall annually make valuations of all out-  
12 standing policies, additions thereto, unpaid dividends and all other obligations  
13 of every life insurance corporation doing business in this State. All valuations  
14 made by him, or by his authority, shall be made upon the net premium basis.  
15 The legal minimum standard for valuation of contracts issued before the first  
16 day of January, 1908, shall be the Actuaries' or Combined Experi-  
17 ence Table of Mortality with interest at 4 per centum per annum,  
18 and for valuation of contracts issued on or after said date shall  
19 be the American Experience Table of Mortality with interest at 3½  
20 per centum per annum. The Superintendent may vary the standards  
21 of interest and mortality in the case of corporations from foreign  
22 countries as to contracts issued by such corporations in other countries  
23 than the United States, and in particular cases of invalid lives and  
24 other extra hazards; and value policies in groups, use appropriate  
25 averages for fractions of a year and otherwise, and accept the valua-  
26 tion of the Department of Insurance of any other State or country if made  
27 upon the basis, and according to standards not lower than herein required or  
28 authorized, in place of the valuation herein required.

29 Policies issued by companies doing business in this State may provide  
30 for not more than one year preliminary term insurance by incorporating in  
31 the provision thereof specifying the premium consideration to be received, a

32 clause plainly showing that the first year's insurance under such policies is  
33 term insurance, purchased by the whole or a part of the premium to be receiv-  
34 ed during the first policy year.

35 If the premium charged for term insurance under a limited payment life  
36 preliminary term policy providing for the payment of all premiums thereon in  
37 less than 20 years from the date of the policy or under an endorse-  
38 ment preliminary term policy, exceeds that charged for like insurance under  
39 20 payment life preliminary term policies of the same company, the re-  
40 serve thereon at the end of any year, including first, shall not be less than  
41 the reserve on a 20 payment life preliminary term policy issued in the same  
42 year and at the same age, together with an amount which shall be equivalent  
43 to the accumulation of a net level premium sufficient to provide for a pure  
44 endowment at the end of the premium-payment equal to the difference be-  
45 tween the value at the end of such period of such a 20 payment life prelimi-  
46 nary term policy and the full reserve at such time of such a limited-payment  
47 life or endowment policy.

Sec. 2. All laws and parts of laws in conflict herewith are hereby re-  
2 pealed.



AMENDMENT TO

45th Assem.

HOUSE—No. 234

May, 1907

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Amendment to House Bill No. 234, adopted by the House May 4, 1907.

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AMENDMENT NO. 1.

Amend House Bill No. 234 by adding a new section thereto to be known as  
Section 3, as follows:

“Sec. 3. This act shall not apply to corporations or associations operating  
Section 3, as follows:





- 1 Introduced by Mr. Oglesby, February 7, 1907.
- 2 Read by title, ordered printed and referred to Committee on Fees and Salaries.

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## A BILL

For an act to amend section twenty-six (26) of an act to provide for the election and appointment of the officers and employes of the General Assembly of the State and to fix their compensation, approved May 28, 1877, in force July 1, 1877.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That section twenty-six (26) of an act to  
3 provide for the election and appointment of the officers and employes of the  
4 General Assembly of the State and to fix their compensation, approved May 28,  
5 1877, in force July 1, 1877, be and the same is hereby amended to read as fol-  
6 lows:

Sec. 26. No officer or person elected or appointed by either branch of the  
2 General Assembly shall receive pay for services in excess of the number of days  
3 that Legislature is in session: *Provided, however,* That the Secretary of the

4 Senate and his first assistant, and the Clerk of the House, and his first assistant,  
5 *the Engrossing and Enrolling Clerk and his first assistant*, may by resolution of  
6 that branch of the Général Assembly of which he is an officer, be allowed pay for  
7 not exceeding ten days after the adjournment of the session, to finish up the  
8 work appertaining to their offices.

9 WHEREAS, An emergency exists, therefore this Act shall take effect and be  
10 in force from and after its passage.

- 1 Introduced by Mr. Pierson, by request, February 7, 1907.  
2 Read by title, ordered printed and referred to Committee on Judiciary.

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## A BILL

For an act to amend sections four (4), six (6) and seventeen (17) of an act entitled,  
“An Act to revise the law in relation to Mechanics’ Liens,” approved May 18,  
1903, in force July 1, 1903.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That sections four (4), six (6) and sev-  
3 *enteen (17) of an act entitled, “An Act to revise the law in relation to Mechan-*  
4 *ics’ Liens,” approved May 18, 1903, in force July 1, be amended to read as fol-*  
5 *lows:*

Sec. 4. *When the person making the contract, whether such person be the*  
2 *owner, or one authorized or permitted by him to make the contract, shall fail to*  
3 *pay to the contractor moneys justly due him at the time when the same should*  
4 *be paid, or shall, without just cause, fail to perform his contract in any other*  
5 *manner, the contractor may discontinue work, and shall not be held liable for*

6 any delay on his part during the period of, or caused by such breach of contract  
 7 on the part of *such person*; and if, after ten days' notice in writing by the con-  
 8 tractor to such person, *he* shall fail to comply with his contract, the contractor  
 9 shall be entitled to enforce his lien for the value of what he has done, *and also in*  
 10 *such cases shall have and be entitled to enforce a lien on the property for such*  
 11 *damages as he would be entitled to recover as at law for the breach of the con-*  
 12 *tract.* In such cases all persons furnishing material which has not been incor-  
 13 porated in the building or improvement shall have the right to take possession of  
 14 and remove the same.

Sec. 6. *It shall not be necessary to stipulate in any contract a time, either*  
 2 *for completion or for payment, but no lien shall be had by virtue of this Act,*  
 3 *unless the work or delivery of material shall be completed, where the contract is*  
 4 *verbal, within one year from the date thereof; where the contract is in writing,*  
 5 *within three years from the date thereof.*

Sec. 17. The costs of such proceedings, as between all parties to the suit,  
 2 shall be taxed equitably against the losing parties, and when taxed against more  
 3 than one party shall be so taxed against *them* all in favor of the proper party,  
 4 but equitably as between themselves; and the costs, as between creditors afore-  
 5 said in contests relative to each other's claims, shall be subject to the order of the  
 6 court, and the same rule shall prevail in respect to costs growing out of the pro-  
 7 ceedings against and between incumbrances. *Upon the final disposition* of all  
 8 such suits, the court shall, in its discretion, order a reasonable attorney's fee to  
 9 be taxed as part of the costs in favor of *the successful party.*

Introduced by Mr. Pogue, by request, February 7, 1907.

Read by title, ordered printed and referred to Committee on Municipal Civil Service.

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COUNTY CIVIL SERVICE COMMISSIONS.

A BILL

For an act concerning civil service commissions of counties.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
*represented in the General Assembly:* RULES, REGULATIONS AND EXAMINATIONS.—  
All rules and regulations adopted by any County Civil Service Commission created and existing by and under the laws of this State, shall be valid and take or continue in effect only upon the approval of the State Civil Service Commission, created by "An Act to regulate the Civil Service of the State of Illinois," approved May 11, 1905, in force July 1, 1905. All papers and proceedings connected with the examinations given by said County Commissions shall be at all



9 times subject to the inspection of said State Commission and its agents; and  
 10 said State Commission shall set forth in its reports the character and practical  
 11 effects of such examinations, together with its views as to the improvement and  
 12 extension of the same, and also copies of all rules made by said County Com-  
 13 missions.

Sec. 2. FAILURE TO APPOINT.—In case, for any reason, the appointing pow-  
 2 er, within sixty days after he has the power to appoint, fails to appoint such  
 3 County Civil Service Commissioners, the State Commission shall appoint them  
 4 to hold office until the expiration of the term of the said appointing officer, who  
 5 is then in office, and until their successors are appointed and qualify. It shall be  
 6 the duty of such persons to prepare and procure the approval of the rules to  
 7 govern said Commissions, and if they fail to do so within sixty days after their  
 8 appointment, the State Commission shall forthwith make said rules.

Sec. 3. REPORTS.—It shall be the duty of the County Civil Service Commis-  
 2 sion of this State to make reports from time to time to the State Commission.  
 3 whenever said Commission may request, of the manner in which their law and  
 4 the rules and regulations thereunder have been and are administered, and the  
 5 results of their administration in such county, and of such other matters as  
 6 said State Commission may require, and annually, on or before the 15th day of  
 7 November, to make such report to said State Commission; and it shall be the  
 8 duty of said State Commission in its annual report to set out either these reports,  
 9 or a sufficient abstract or summary thereof, to give full and clear information as  
 10 to their contents. A copy of the roster of the classified civil service of such  
 11 county shall be transmitted to the State Commission with the annual report  
 12 aforesaid, and shall be filed in the office of said Commission as a public record.

Sec. 4. REMOVAL BY STATE COMMISSION.—Said State Commission may also,  
 2 by unanimous vote of the three Commissioners with the written approval of the  
 3 Governor, remove any County Civil Service Commissioner appointed and acting  
 4 under the authority of any law in the State of Illinois, for incompetence, ineffi-  
 5 ciency, neglect of duty or violation of the provisions of the act under which they  
 6 are appointed and acting, or of the rules and regulations in force thereunder,  
 7 or any of them, specifying in writing the particulars of the incompetency, ineffi-  
 8 ciency, neglect of duty or violation charged, and filing the same as a public doc-  
 9 ument in the office of the County Clerk in such county, and a certified transcript  
 10 thereof in the office of the State Civil Service Commission, first giving the  
 11 Commissioner sought to be removed an opportunity to make a personal explana-  
 12 tion in self defense. Whenever a County Civil Service Commissioner has been  
 13 removed by the unanimous vote of the three State Commissioners, with the writ-  
 14 ten approval of the Governor, or whenever any Civil Service Commissioner shall  
 15 resign, or be removed by the appointing power, pending a hearing by the State  
 16 Commission of charges preferred against such County Commissioner, the State  
 17 Commission, and not the appointing power in such county, shall have power to  
 18 appoint persons to fill such vacancies, and such persons so appointed by the  
 19 State Commission shall hold office as County Civil Service Commissioners of  
 20 such county until the expiration of the term of the appointing power then in  
 21 office, and until their successors are appointed and qualify.

Sec. 5. RULES, REGULATIONS AND CLASSIFICATIONS, HOW CHANGED.—Said  
 2 State Commission may at any time, by unanimous vote of the three Commission-  
 3 ers, amend or rescind any rule, regulation or classification adopted by any Coun-  
 4 ty Civil Service Commission, provided that said State Commission shall state  
 5 the reasons for such action in writing and file the same and a certified transcript

6 thereof as a public document, as hereinbefore provided, and give an opportu-  
7 nity to the County Civil Service Commissioners concerned to make a personal  
8 explanation and to file papers in opposition to such action. The said State  
9 Commission, however, shall not take such action upon any ground other than  
10 that the provisions or purposes of the act under which the County Commission  
11 is appointed and acting, are not properly or sufficiently carried out by such rule,  
12 regulation or classification, nor without specifying in writing and detail in what  
13 particular such provisions or purposes are not carried out.

- 1 Introduced by Mr. Pogue, by request, February 7, 1907.
- 2 Read by title, ordered printed and referred to Committee on State and Municipal  
Civil Service.
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CITY CIVIL SERVICE COMMISSIONS.

A BILL

For an act concerning civil service commissions of cities.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly* (RULES, REGULATIONS AND EXAMINA-  
3 TIONS): All rules and regulations adopted by any city civil service commis-  
4 sion created and existing by and under the laws of this State, shall be valid  
5 and take or continue in effect only upon the approval of the State Civil Serv-  
6 ice Commission, created by "An Act to regulate the Civil Service of the State  
7 of Illinois," approved May 11, 1905, in force July 1, 1905. All papers and pro-  
8 ceedings connected with the examinations given by said city Commissions shall  
9 be at all times subject to the inspection of said State Commission and its



10 agents; and said State Commission shall set forth in its reports the char-  
 11 acter and practical effects of such examinations, together with its views as to  
 12 the improvement and extension of the same, and also copies of all rules made  
 13 by said city Commissions.

Sec. 2. FAILURE TO APPOINT.—In case, for any reason, the appointing  
 2 power, within sixty days after he has the power to appoint, fails to appoint  
 3 such City Civil Service Commissioners for any city, the State Commission shall  
 4 appoint them to hold office until the expiration of the term of said appointing  
 5 power, who is then in office, and until their successors are appointed and qual-  
 6 ify. It shall be the duty of such commissioners so appointed to prepare and  
 7 procure the approval of the rules to govern said Commission, and if they fail  
 8 to do so within sixty days after their appointment, the State Commission shall  
 9 shall forthwith make said rules.

Sec. 3. REPORTS.—It shall be the duty of the City Civil Service Commis-  
 2 sions of this State to make reports from time to time to the State Commission,  
 3 whenever said Commission may request, of the manner in which their law and  
 4 the rules and regulations thereunder have been and are administered, and the  
 5 results of their administration in such city, and of such other matters as said  
 6 State Commission may require, and actually, on or before the 15th day of No-  
 7 vember, to make such a report to said State Commission; and it shall be the duty  
 8 of said State Commission in its annual report to set out either these reports,  
 9 or a sufficient abstract or summary thereof, to give full and clear information  
 10 as to their contents. A copy of the roster of the classified Civil Service of  
 11 such city shall be transmitted to the State Commission with the annual report  
 12 aforesaid, and shall be filed in the office of said Commission as a public record.



Sec. 4. REMOVAL BY STATE COMMISSION. -Said State Commission may also,

2 by unanimous vote of the three Commissioners, with the written approval of  
 3 the Governor, remove any City Civil Service Commissioner appointed and act-  
 4 ing under the authority of any law in the State of Illinois, for incompetence,  
 5 inefficiency, neglect of duty or violation of the provisions of the act under which  
 6 they are appointed and acting, or of the rules and regulations in force there-  
 7 under, or any of them, specifying in writing the particulars of the incompe-  
 8 tency, inefficiency, neglect of duty or violation charged, and filing the same as a  
 9 public document in the office of the city clerk in such city, or if there be no city  
 10 clerk, in the office of the clerk of the board of aldermen, and a certified transcript  
 11 thereof in the office of the State Civil Service Commission, first giving the Com-  
 12 missioner sought to be removed an opportunity to make a personal explanation in  
 13 self defense. Whenever a City Civil Service Commissioner has been removed  
 14 by the unanimous vote of the three State Commissioners, with the written ap-  
 15 proval of the Governor, or whenever any Civil Service Commissioner shall re-  
 16 sign or be removed by the appointing power, pending a hearing by the State  
 17 Commission of charges preferred against such City Commissioner, the State  
 18 Commission, and not the appointing power in such city, shall have power to ap-  
 19 point persons to fill such vacancies, and any such person so appointed by the  
 20 State Commission shall hold office as City Civil Service Commissioner of  
 21 such city, until the expiration of the term of the appointing power then  
 22 in office, and until their successors are appointed and qualify.

Sec. 5. RULES, REGULATIONS AND CLASSIFICATIONS—HOW CHANGED. — Said

2 State Commission may at any time, by unanimous vote of the three Commis-  
 3 sioners, amend or rescind any rule, regulation or classification adopted by any  
 4 City Civil Service Commission, provided that said State Commission shall state

5 the reasons for such action in writing and file the same and a certified transcript  
 6 thereof as a public document, as hereinbefore provided, and give an opportu-  
 7 nity to the City Civil Service Commissioners concerned to make a personal  
 8 explanation and to file papers in opposition to such action. The said State Commis-  
 9 sion, however, shall not take such action upon any ground other than that the  
 10 provisions or purposes of the act under which the City Commission is appointed  
 11 and acting are not properly or sufficiently carried out by such rule, regulation  
 12 or classification, nor without specifying in writing and detail in what particular  
 13 such provisions or purposes are not carried out.

Sec. 6. PENALTIES.—Any person who shall wilfully or through culpable  
 2 negligence, violate any of the provisions of this Act shall be guilty of a mis-  
 3 demeanor, and shall on conviction thereof, be punished by a fine of not less than  
 4 fifty dollars nor more than one thousand dollars, or by imprisonment in the  
 5 county jail for a term not exceeding six months, or both such fine and imprison-  
 6 ment in the discretion of the Court.

Sec. 7. PENALTIES—REMOVAL FROM OFFICE.—If any person shall be con-  
 2 victed under the last preceding section, any public office or place of public em-  
 3 ployment which such person may hold shall, by force of such conviction, be  
 4 rendered vacant.

Sec. 8. WHAT OFFICERS TO PROSECUTE.—Prosecutions for violations of  
 2 this Act may instituted either by the Attorney General or by the State's At-  
 3 torney for the county in which the offense is alleged to have been committed,  
 4 or by the State Commission acting through special counsel. Such suits shall be con-  
 5 ducted and controlled by the prosecuting officers who institute them, unless they  
 6 request the aid of other prosecuting officers.

- 1 Introduced by Mr. Pogue, by request, February 7, 1907.
- 2 Read by title, ordered printed and referred to Committee on State and Municipal Civil Service.

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AMENDMENTS TO CIVIL SERVICE CODE.

A BILL

For an act to amend sections 4, 6, 9, 10, 12, 18, 19 and 35 of an act entitled "An Act to regulate the Civil Service of the State of Illinois," approved May 11, 1905, in force July 1, 1905.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections 4, 6, 9, 10, 12, 18, 19 and 35 of an act entitled "An Act to regulate the Civil Service of the State of Illinois," approved May 11, 1905, in force July 1, 1905, be and the same is hereby amended to read as follows:

Sec. 4. RULES—Said Commission shall make rules to carry out the purposes of this Act; and for examinations, appointments and removals, in ac-

3 cordance with the provisions thereof and the Commission may from time to  
4 time make changes in the rules.

Sec. 6. EXAMINATIONS—*All applications for examinations shall be made  
2 under oath on forms to be prescribed by the Commission, and shall be sworn to  
3 before any judge of a court of record, justice of the peace, notary public or  
4 other officer authorized by the laws of this State to administer oaths.*

5 All applicants for office or places in said classified service, except those  
6 mentioned in section 11, shall be subjected to examination, which shall be public,  
7 competitive and free to all citizens of the *United States*, with limitations speci-  
8 fied in the rules of the Commission as to residence, age, sex, health, habits and  
9 moral character. Such examinations shall be practical in their character and  
10 shall relate to those matters which will fairly test the relative capacity of the  
11 persons examined to discharge the duties of the position to which they seek to  
12 be appointed, and may include tests of physical qualifications and health, and  
13 when appropriate, of manual skill. No question in any examination shall relate  
14 to political or religious opinions or affiliations. The Commission shall control  
15 all examinations and may, whenever an examination is to take place, designate  
16 a suitable number of persons, either in or not in the official service of the State,  
17 to be examiners, and it shall be the duty of such examiners, and if in the official  
18 service it shall be a part of their official duty without extra compensation, to  
19 conduct such *examinations* as the Commission may direct, and to make return or  
20 report thereof to said Commission; and the Commission may at any time substi-  
21 tute any other person, whether or not in such service, in the place of any one so  
22 selected; and the Commission may themselves at any time act as such exami-  
23 ners, and without appointing examiners. The examiners at any examination



24 shall not all be members of the same political party. *The Commission may*  
 25 *hold examinations in any city or cities of any other state or states, and may des-*  
 26 *ignate suitable persons not residents or citizens of the State of Illinois to act as*  
 27 *examiners.*

28 Whenever the list of persons examined and eligible for original appoint-  
 29 ment for any position in the classified service shall be less than five, the Com-  
 30 mission shall hold an examination for such position.

Sec. 9. PROMOTIONS—*The Commission shall, by its rules, provide for pro-*  
 2 *motions in such classified service, and shall provide that any vacancy shall be*  
 3 *filled by promotion where, in the judgment of the Commission, it will be for the*  
 4 *best interests of the service to fill such vacancy. If, in the judgment of the*  
 5 *Commission, it is not for the best interests of the service to fill such vacancy by*  
 6 *promotion, then such vacancy shall be filled by an original entrance examina-*  
 7 *tion. All examinations for promotions shall be limited to such members of the*  
 8 *lower ranks or grades who, by the rules of the Commission are in the line of pro-*  
 9 *motion, and it shall be the duty of the Commission to certify to the appointing*  
 10 *power the name and address of the applicant for each promotion having the*  
 11 *highest rating. The method of examination and the rules governing same shall*  
 12 *be the same as provided for applicants for original appointments.*

Sec. 10. APPOINTMENTS TO CLASSIFIED SERVICE—The head of a department,  
 2 office or institution in which a position classified under this Act is to be filled  
 3 shall notify said Commission of that fact and said Commission shall certify to  
 4 the appointing officer the names and addresses of three candidates standing  
 5 highest upon the register for the class or grade to which said position belongs,  
 6 and the head of such department, office or institution, shall appoint one of the



7 three so certified and after a candidate has been certified three times by the  
 8 Commission and shall not have been appointed by the head of a department, of-  
 9 fice or institution, his name shall be stricken from the register. In making such  
 10 certification sex shall be disregarded, except when some statute, the rules of said  
 11 Commission, or the appointing power specifies sex. Persons who were engaged  
 12 in the military or naval service of the United States during the years 1861,  
 13 1862, 1863, 1864 or 1865, and who were honorably discharged therefrom, shall  
 14 be preferred for appointment to civil offices, provided they are found to pos-  
 15 sess the business capacity necessary for the proper discharge of the duties of  
 16 such office, and it shall be the duty of the examiner or commissioner certifying  
 17 the list of eligibles who have taken the examinations provided for in this Act, to  
 18 place the name or names of such persons at the head of the list of eligibles *to be*  
 19 certified for appointment.

20 The appointing officer shall notify said Commission of each position to be  
 21 filled separately, and shall fill such place by appointment *from the persons cer-*  
 22 *tified to him by said Commission therefor.* Said Commission may strike off the  
 23 names of all candidates from any eligible list after they have remained thereon  
 24 more than two years.

Sec. 12. REMOVALS, REDUCTIONS AND SUSPENSIONS—*No person shall be re-*  
 2 *moved from the classified service or reduced in grade or compensation except*  
 3 *as hereinafter provided. Whenever it will promote the efficiency of the service*  
 4 *removals from the classified service or reductions in grade or compensation, or*  
 5 *both, may be made in any department of such service by the appointing power*  
 6 *in the manner following: The person sought to be removed shall be served with*  
 7 *a copy of the order of removal and notice of suspension from such service and*

8 also written specifications; and such person shall have not less than three nor  
 9 more than seven days to answer the same in writing. A copy of the order, spec-  
 10 ifications, and answer, if any, shall be filed with the Civil Service Commission,  
 11 which shall promptly approve or disapprove of such order. Said Commission  
 12 may in its discretion investigate any removal or reduction and shall investigate  
 13 any such case which it has reason to believe has not been made for the purpose  
 14 and in the manner herein provided. Such suspension shall be without pay: Pro-  
 15 vided, however, That said Commission in case of a disapproval may direct that  
 16 pay shall be restored. All decisions by said Commission shall be final and shall  
 17 be certified to the appointing power and shall be forthwith enforced by such of-  
 18 ficer.

19 Reductions in grade or compensation, or both, shall be made in the like  
 20 manner, as near as may be, but without suspension pending such approval or dis-  
 21 approval. A copy of said papers in each case shall be made a part of the record  
 22 of the division of the service in which the removal or reduction is made. No  
 23 removal or reduction shall be effective if disapproved by the Commission.

24 Nothing in this Act shall limit the power of any officer to suspend a subordi-  
 25 nate without pay for cause assigned in writing, a copy of which shall be deliv-  
 26 ered to such subordinate. Such suspension shall be for a reasonable period, not  
 27 exceeding thirty days, and any suspension may be investigated by said Civil Ser-  
 28 vice Commission. In the course of any investigation provided for in this section  
 29 each member of the Civil Service Commission shall have the power to administer  
 30 oaths, and said Commission shall have the power to secure by its subpoena both  
 31 the attendance and testimony of witnesses, and the production of books and pa-  
 32 pers relevant to such investigation.

Sec. 18. SALARIES AND EXPENSES—Each of said Commissioners shall receive a salary of three thousand dollars a year; the chief examiner shall receive a salary of *three thousand five hundred dollars a year*, and said Commissioners and chief examiner shall be paid their necessary traveling expenses. Any person not at the time in the official service of the State, serving as a member of the board of examiners, or of a trial board, shall receive compensation for every day actually and necessarily spent in the discharge of his duty as an examiner or a member of the trial board, at the rate of not exceeding five dollars per day and necessary traveling expenses. Said Commission may also incur necessary expenses for clerk hire, stationery, printing, and other incidental expenses, and the said salaries and expenses shall be allowed and paid in the same manner as the salary and expenses of the Governor's office.

Sec. 19. FRAUDS PROHIBITED—No person or officer shall wilfully or corruptly, by himself, or in co-operation with one or more persons, defeat, deceive or obstruct any person in respect to his or her right of examination hereunder; or corruptly or falsely mark, grade, estimate or report upon the examination or proper standing of any person examined hereunder or aid in so doing; or wilfully or corruptly make any false representation concerning the same or concerning the person examined; or wilfully or corruptly furnish to any person any special or secret information for the purpose of either improving or injuring the prospects or chances of any person so examined, or to be examined, being appointed, employed or promoted. *And no applicant for any examination shall wilfully or corruptly by himself, or in co-operation with one or more persons, deceive the said Commission with reference to his identity, or wilfully or corruptly make any false representations in his application for any examination,*

14 *or commit any fraud for the purpose of improving his prospects or chances in*  
 15 *such examination.*

Sec. 35. WHAT OFFICERS TO PROSECUTE—Prosecutions for violation of this  
 2 Act may be instituted either by the Attorney General or by the State's attorney  
 3 for the county in which the offense is alleged to have been committed, *or by the*  
 4 *Commission acting through special counsel. Such suits shall be conducted and*  
 5 *controlled by the prosecuting officers who institute them unless they request the*  
 6 *aid of other prosecuting officers.*

Sec. 38. WHEREAS, An emergency exists this law shall be in force and effect  
 2 from and after its passage.





- 1 Introduced by Mr. Provine, February 7, 1907.
- 2 Read by title, ordered printed and referred to Committee on Judicial Department and Practice.

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## A BILL

For an act to amend section five (5) of an act entitled "An Act to diminish the number of the Judicial Divisions of the Supreme Court, to change the time and place of holding said court, and to regulate the practice in said court," approved April 2, 1897, in force July 1, 1897.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section five (5) of "An Act to diminish the number of the Judicial Divisions of the Supreme Court, to change the time and places of holding said court, and to regulate the practice in said court," be amended so as to read as follows:

Sec. 5. All appeals to the Supreme Court shall be prayed and allowed at the term at which the judgment, order or decree appealed from is rendered, and not more than twenty (20) days after the date of the entry of such judgment,

4 order or decree. Authenticated copies of records, or judgments, orders and de-  
5 crees appealed from shall be filed in the office of the clerk of the Supreme Court  
6 on or before *ten (10) days before the first day* of the succeeding term of said  
7 court: *Provided, Forty (40) days* shall have intervened between the day on  
8 which the order allowing such appeal shall have been entered and the first day  
9 of such succeeding term of said court. But if less than *forty (40) days* shall have  
10 intervened as aforesaid, then such copies of record shall be filed on or before  
11 *ten (10) days before the first day* of the second term succeeding the allowance of  
12 said appeal; otherwise the said appeal shall be dismissed. Further time to file  
13 such copies of record may be granted by said court or by some justice thereof  
14 in term time or vacation upon good cause shown, provided application therefor  
15 shall be made before the expiration of the time herein fixed for filing such copies  
16 of record.

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Amendment to House Bill No. 240, adopted by the House March 12, 1907.

Amend House Bill No. 240 as follows:

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Strike out in line 6, of the printed bill the words and figures "ten (10)," and insert in lieu thereof, the words and figures "twenty (20)."

Strike out in line 7 of the printed bill, the words and figures "forty (40)" and insert in lieu thereof, the words and figures "fifty (50)."

Strike out in line 9 of the printed bill, the words and figures "forty (40)" and insert in lieu thereof, the words and figures "fifty (50)."

Strike out, in line 11 of the printed bill, the words and figures, "ten (10)", and insert in lieu thereof the words and figures, "twenty (20)."



- 1 Introduced by Mr. Provine, February 6, 1907.
- 2 Read by title, ordered printed and referred to Committee on Judicial Department and Practice.

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## A BILL

For an act in relation to practice and procedure in courts of record.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* The first process in all actions to be  
3 hereafter commenced in any of the courts of record in this State shall be a sum-  
4 mons, except actions where special bail may be required; which summons shall  
5 be issued under the seal of the court, tested in the name of the clerk of such  
6 court, dated on the day it shall be issued, and signed with his name, and shall be  
7 directed to the sheriff, (or, if he be interested in the suit, to the coroner of the  
8 county), and shall be made returnable on the first day of the next term of the  
9 court in which the action may be commenced. If ten days shall not intervene  
10 between the time of suing out the summons and the next term of court, it shall  
11 be made returnable to the succeeding term. The plaintiff may, in any case,  
12 have summons made returnable at any term of the court which may be held with-  
13 in three months after the date thereof.



Sec. 2. It shall be the duty of the sheriff or coroner to serve all process of  
 2 summons or *capias*, when it shall be practicable, ten days before the return day  
 3 thereof, and to make return of such process to the clerk who issued the same, by,  
 4 or on the return day, with an endorsement of his service, the time of serving it,  
 5 and the amount of his fees: *Provided*, That when such process shall have been  
 6 directed to a foreign county, the officer executing the same may make return  
 7 thereon by mail; and the clerk may charge the postage and tax the amount in his  
 8 fee bill. Service of summons, except when otherwise expressly provided by  
 9 statute, shall be made by leaving a copy thereof with the defendant in person.

Sec. 3. If it shall not be in the power of the sheriff or coroner to serve a  
 2 summons or *capias* ten days before the return day thereof, he may execute the  
 3 same at any time before, or on the return day; but if not served ten days before  
 4 the return day thereof, the defendant shall be entitled to a continuance, and  
 5 shall not be compelled to plead before the next succeeding term. ]

Sec. 4. Whenever it shall appear, by the return of the sheriff or coroner,  
 2 that the defendant is not found, the clerk shall, at the request of the plaintiff,  
 3 issue another summons or *capias*, as the case may be, and so on until service is  
 4 had.

Sec. 5. If any sheriff or coroner to whom any summons, *capias* or sub-  
 2 poena shall be delivered, shall neglect, or refuse to make return of the same be-  
 3 fore, or on the return day of such process, the plaintiff may enter a rule requir-  
 4 ing said sheriff or coroner to make return of such process on a day to be fixed by  
 5 the court, or to show cause on that day why he should not be attached for a  
 6 contempt of the court; and the plaintiff shall thereupon cause a written notice  
 7 of such rule to be served on such sheriff or coroner; and if good and sufficient

8 cause be not shown to excuse such officer, the court shall judge him guilty of a  
9 contempt, and shall proceed to punish such officer as in other cases of contempt.

Sec. 6. It shall not be lawful for any plaintiff to sue any defendant out of  
2 the county where the latter resides or may be found, except in local actions,  
3 and except that in every species of personal actions in law where there is more  
4 than one defendant, the plaintiff commencing his action where either of them  
5 resides, may have his writ or writs, issued directed to any county, or counties  
6 where the other defendant, or either of them may be found: *Provided*, That if  
7 a verdict shall not be found, or judgment rendered against the defendant or de-  
8 fendants, resident in the county where the action is commenced, judgment shall  
9 not be rendered against those defendants who do not reside in the county, unless  
10 they appear and defend the action, nor then if the action is dismissed as to the  
11 defendant, or defendants, resident in the county. Actions against a railroad or  
12 bridge company, may where its principal office is located, or in the county be  
13 brought in the county where the cause of action accrued, or in any county into,  
14 or through which its road or bridge may run.

Sec. 7. The courts of record of the county wherein the plaintiff or com-  
2 plainant may reside, shall have jurisdiction of all actions hereafter to be com-  
3 menced by any individual against any insurance company, either incorporated  
4 by any law of this State, or doing business in this State. And all process issued  
5 in any cause commenced in the county wherein the plaintiff may reside, where-  
6 in an individual may be plaintiff or complainant, and any such company defend-  
7 ant may be directed to any county of this State for services and return.

Sec. 8. An incorporated company may be served with process by leaving a  
2 copy thereof with its president, if he can be found in the county in which the suit  
3 is brought. If he shall not be found in the county, then by leaving a copy of the

process with any clerk, secretary, superintendent, general agent, cashier, principal, director, engineer, conductor, station agent, or any agent of said company found in the county; and, in case the proper official shall make return upon such process that he cannot in his county find any clerk, secretary, superintendent, general agent, cashier, principal, director, engineer, conductor, station agent, or any other agent of said company, then such company may be notified by publication and mail in like manner and with like effect, as in cases in chancery.

Sec. 9. Process against a county may be served by leaving a copy thereof with the clerk or chairman of the county board, or clerk of the county court in counties not under township organization, until a board of county commissioners is elected, as provided in the constitution.

Sec. 10. In suits against a city, village or town, process may be served by leaving a copy thereof with the mayor or city clerk, in case of a city, and with the president of the board of trustees or clerk, in the case of a village, and with the supervisor or town clerk in case of a town.

Sec. 11. The receiver or receivers of any incorporated company may be served with process by leaving a copy of such process with such receiver or receivers, if he or they can be found in the county in which the suit is brought; if he or they shall not be found in the county, then by leaving a copy of such process with any clerk, secretary, superintendent, general agent, engineer, conductor, station agent, or any agent in the employ of such receiver or receivers who may be found in the county in which such suit is brought.

Sec. 12. A trustee or trustees operating, managing or controlling a railway may be served with process by leaving a copy of such process with such trustee or trustees, if he or they can be found in the county in which the suit is



4 brought; if he or they shall not be found in the county, then by leaving a copy  
5 of such process with any clerk, secretary, superintendent, general agent, engi-  
6 neer, conductor, station agent, or any agent in the employ of such trustee or  
7 trustees who may be found in the county in which such suit is brought.

Sec. 13. A partnership may be sued by the usual or ordinary name which  
2 it has assumed, or by which it is known, and in suits so brought it shall not be  
3 necessary to allege or prove the names of the individual members of the part-  
4 nership. The summons in such cases may be served on one or more of the mem-  
5 bers of the partnership, and the judgment in the action shall bind the joint prop-  
6 erty of the partnership in the same manner as if all the members thereof had  
7 been made defendants and had been sued upon their joint liability.

Sec. 14. If a summons or *capias* is served on one or more, but not on all  
2 of the defendants, the plaintiff may proceed to trial and judgment against the  
3 defendant or defendants on whom the process is served, and the plaintiff may  
4 at any time afterwards, have a summons, in the nature of *scire facias*, against  
5 the defendant not served with the first process, to cause him to appear in said  
6 court, and show cause why he should not be made a party to such judgment;  
7 and upon such defendant being duly served with such process, the court shall  
8 hear and determine the matter in the same manner as if such defendant had  
9 been originally summoned or brought into court, and such defendant shall also  
10 be allowed the benefit of any payment or satisfaction which may have been  
11 made on the judgment before recovered, and the judgment of the court against  
12 such defendant shall be that the plaintiff recover against such defendant, to-  
13 gether with the defendant in the former judgment, the amount of his debt or  
14 damages, as the case may be.

Sec. 15. It shall not be necessary hereafter in any action of *mandamus* or  
 2 *quo warranto*, to set out the cause of action in the writ, but it shall be sufficient  
 3 to summon the defendant in a summons in the usual form, commanding the de-  
 4 fendant to appear and answer the plaintiff in an action of *mandamus* or *quo*  
 5 *warranto*, as the case may be, and the issue shall be made up by answering,  
 6 pleading or demurring to the petition as in other cases.

Sec. 16. Before a party prosecutes or defends in his own proper person  
 2 in any action or proceeding at law or in equity, he shall enter his appearance in  
 3 writing and shall state therein a place within the county in which the action or  
 4 proceeding is pending; where service of notices or other papers necessary or  
 5 desired to be given or served in such action or proceeding may be had upon  
 6 him, and shall also state therein his place of residence and principal place of bus-  
 7 iness. Such places shall be stated with particularity so as to be capable of easy  
 8 identification. Notices or other papers to be served in such action or proceeding  
 9 upon a party so appearing may be served upon him in person or by leaving a  
 10 copy thereof at such designated place, residence or place of business, with some  
 11 person employed therein, or of the family of such party, of the age of ten years  
 12 or upwards, and informing such person of the contents thereof; and when so ser-  
 13 ved, shall have like effect as though such party had appeared by attorney and  
 14 such notice or other paper had been served upon his attorney.

Sec. 17. If any person necessary to be joined as plaintiff in any suit or pro-  
 2 ceeding, shall, upon request, not consent to join therein, his name may, neverthe-  
 3 less, be used by the other party plaintiff, upon filing with the clerk of the court  
 4 an obligation with good and sufficient sureties to be approved by a judge or the  
 5 clerk of the court in which the suit or proceeding is to be commenced, shown by



6 his endorsement of approval thereon, to protect, save harmless and indemnify the  
 7 person whose name is so used, from the payment of any costs, judgment or ex-  
 8 penses in said suit. If, however, the plaintiffs shall recover a judgment in such  
 9 suit or proceeding, the person so refusing to allow the use of his name shall not  
 10 be entitled to receive any part thereof, until he pays the expense incurred in giv-  
 11 ing the obligation and his equitable share of the costs and expenses of the litiga-  
 12 tion including plaintiffs' attorney's fees and discharges the obligation.

Sec. 18. The assignee and equitable and *bona fide* owner of any chose in  
 2 action not negotiable, heretofore or hereafter assigned, may sue thereon in his  
 3 own name, and he shall in his pleading allege that he is the actual *bona fide*  
 4 owner thereof, and set down how and when he acquired title; but in such suit,  
 5 there shall be allowed all just set-offs, discounts and defenses not only against  
 6 the plaintiff, but also against the assignor or assignors before notice of such  
 7 assignment shall be given to the defendant.

Sec. 19. The clerks of the courts shall keep a docket of all the causes pend-  
 2 ing in their respective courts, in which shall be entered the names of the parties,  
 3 the cause of action and the name of the plaintiff's attorney, and he shall furnish  
 4 the judge and bar, at each term, with a copy of the same, in which all indict-  
 5 ments and causes to which the people may be a party shall be first set down,  
 6 after which shall be set down all cases in law, in order, according to the date of  
 7 their commencement, and lastly, the suits in chancery. Where the business of  
 8 the court shall be so large as to require it, separate dockets may be made of the  
 9 criminal, law and chancery cases.

Sec. 20. The cause shall be set and apportioned for such days of the term  
 2 as the judge may direct or as may be fixed by rule of the court, and all sub-

3 jurnas for witnesses shall be made returnable on the day on which the cause in  
 4 which the witnesses are to be called is set for trial, or the first day of the term  
 5 when such day has not been fixed.

Sec. 21. All causes shall be tried, or otherwise disposed of, in the order  
 2 they are placed on the docket, unless the court, for good and sufficient cause, shall  
 3 otherwise direct: *Provided, however,* That in any county wherein two or more  
 4 judges shall be holding separate branches of the same court, at the same time,  
 5 for the trial of causes, such court may direct the clerk to make out two or more  
 6 trial dockets and to place all causes upon notes and other instruments of writ-  
 7 ing for the payment of money only, and upon open accounts, on one of such  
 8 dockets, all appeals from justices of the peace on another of such dockets, and  
 9 may cause such other distribution of such causes upon the same or separate  
 10 dockets as in its discretion it may deem necessary and proper, and the court  
 11 may try or otherwise dispose of the causes in their order on any of such dockets  
 12 as it may deem proper: *And Provided,* That the county court may direct the  
 13 clerk to make out a trial docket upon which he shall place for speedy hearing  
 14 all appeals from justices of the peace, and the court may try or otherwise dis-  
 15 pose of the causes on such docket in their order: *And Provided, further,* No  
 16 suit, action or proceeding, at law or in equity, shall be dismissed for want of  
 17 prosecution at any time except when such cause shall be actually reached for  
 18 trial in its order as set for trial, or upon the short cause or daily trial calendar  
 19 of the court; but in any suit in equity the court may, on motion and notice to the  
 20 complainant for the cause shown, make an order according to the state of the suit  
 21 to speed the cause within a reasonable time to be fixed in such order, and on  
 22 failure to comply therewith may dismiss the suit for want of prosecution.

Sec. 22. The clerk of any court in which a suit is pending shall, from time  
 2 to time, issue subpoenas for such witnesses, and to such counties in the State as  
 3 may be required by either party, and every clerk who shall refuse so to do shall  
 4 be fined, at the discretion of the court, in any sum not exceeding \$100.

Sec. 23. In any court wherein five or more judges of the same court shall  
 2 be holding separate branches thereof at the same time, for the trial of causes,  
 3 such judges shall designate not less than two of their number to call the chan-  
 4 cery docket of the court. Such designation shall be made in the month of June  
 5 in each year and shall be for the period of one year. In default of action by the  
 6 judges, during the month of June, or in case any judge so designated shall de-  
 7 cline to serve or shall die or resign, the presiding judge or chief justice of the  
 8 court shall make such designation, and may designate himself as one of such  
 9 judges.

Sec. 24. When several joint debtors are sued, and any one or more of them  
 2 shall not be served with process, the pendency of such suit or the recovery of a  
 3 judgment against the parties served shall be no bar to a recovery on the original  
 4 cause of action against such as are not served, in any suit which may be brought  
 5 against them in any other place than in the county where the first suit is  
 6 brought. This section shall not be so construed as to allow more than one sat-  
 7 isfaction.

Sec. 25. At the same time that any pleading is filed in any court of record,  
 2 a copy thereof for the use of the adverse party shall also be filed. The original of  
 3 such pleading shall not be taken from the court without leave thereof. No fee  
 4 shall be taxed by the clerk for filing such copy.

Sec. 26. Any two or more persons or corporations may appear in person  
 2 or by attorney, in any Circuit Court, or in the Superior Court of Cook county,  
 3 and submit to any judge thereof, or to any three judges thereof who will consent  
 4 to hear the same, orally and without formal pleadings, any matter in contro-  
 5 versy, or any suit or proceeding then pending at law or in chancery, having  
 6 first entered into a written agreement, to be entered of record, and substanti-  
 7 ally in the following form, to-wit:

8 In the Circuit Court of.....County (title of cause, if pending).

9 *First.* We (here insert names), do hereby mutually agree to submit to  
 10 Judge .....(here insert name or names) of said court, certain matters in  
 11 controversy between us (or in the above entitled cause) for his (or their) deter-  
 12 mination, without a jury to hear the same forthwith, and he (or they, or any two  
 13 of them) to enter the judgment or decree of the court therein within (here insert  
 14 number of days or "forthwith") days after such hearing is concluded.

15 *Second.* That said judgment or decree shall contain a statement as to what  
 16 matters in controversy were (or that the cause was) so submitted, and such  
 17 statement thereof shall be conclusive.

18 *Third.* That no further record except of this agreement and of such judg-  
 19 ment or decree shall be made as to the matters in controversy (or cause) so sub-  
 20 mitted, or as to the proceedings had on the hearing thereof.

21 *Fourth.* That such judgment or decree may be enforced in like manner as  
 22 other judgments and decrees of such court.

23 *Fifth.* That we, each to the other, hereby waive all right of appeal from such  
 24 judgment or decree, and release all errors that may intervene in the hearing of



29 (SEAL).

Such agreement shall be signed by the parties in person, or by duly authorized attorney in fact, and when so executed shall be of binding force upon the parties thereto, in all the courts of this State. It shall be the duty of such judge or judges to proceed, and in a summary manner to hear and determine the matters (or cause) so submitted, and he, or if submitted to three judges, any two of them, shall enter a judgment or decree therein, within the time fixed in said agreement, which said judgment or decree shall be final and conclusive and may be enforced in like manner as other judgments or decrees of such court; but no appeal shall be allowed therefrom.

Sec. 27. It shall be the duty of the clerk of each court of record in this State, to prepare a trial calendar, in addition to the regular trial calendar of such court, to be known as the "Short Cause Calendar." Upon any party, his agent or attorney, in any suit at law, pending in any court of record, filing an affidavit that he verily believes the trial of said suit will not occupy more than one hour's time, and upon ten day's previous notice to all of the other parties to said suit, his, or their agent or attorney, said suit shall be placed by the clerk upon said "Short Cause Calendar," but the suit shall not be placed upon the Short Cause Calendar by the defendant unless he files his affidavit within sixty days after the suit is at issue.



Sec. 28. It shall be the duty of each judge of a court of record engaged  
 2 in the trial of suits on the common law docket to set apart and designate at  
 3 least one day in each week during every term of court for the trial of suits upon  
 4 the "Short Cause Calendar," and such suits shall be tried and disposed of on  
 5 said days in the order in which they are placed upon such calendar, and such  
 6 "Short Cause Calendar" shall be a continuous calendar and suits once placed  
 7 upon it shall remain thereon until disposed of in their order.

Sec. 29. If the trial of any suit which is upon the "Short Cause Calen-  
 2 dar" shall occupy more than one hour's time, then the court may, in its discre-  
 3 tion, stop the trial, take the case from the jury, and continue it, and the suit  
 4 shall, unless otherwise ordered by the court, go to the foot of the docket and  
 5 shall not again be placed upon the "Short Cause Calendar," and all costs to that  
 6 time shall be taxed against the party so placing the suit upon the "Short Cause  
 7 Calendar," and shall be paid by him as a condition to his further prosecuting  
 8 or defending the suit.

Sec. 30. A suit upon the "Short Cause Calendar" may be passed or con-  
 2 tinued for good cause shown the same as other suits, and if so passed or con-  
 3 tinued it shall lose its place upon such calendar, but may be again placed there-  
 4 on.

Sec. 31. If a suit which is upon the regular calendar shall be placed upon  
 2 the "Short Cause Calendar," it shall be stricken off the regular trial calendar  
 3 and shall not again be placed thereon, except upon notice to all the other par-  
 4 ties to the suit, his, or their agent or attorney.

Sec. 32. When any pleading is founded on a written instrument or an ac-  
 2 count, a copy of such instrument or account must be filed with the pleading, un-

3 less the same is out of the possession or control of the pleader. The copy of  
 4 account shall clearly show the character of the account. Such copy of a writ-  
 5 ten instrument or account so filed shall be taken as a part of the record. The  
 6 recovery of the party filing such copy of a written instrument or account shall,  
 7 insofar as it depends upon the pleading on account of which the copy was filed,  
 8 be confined to the items and writing shown in such copy, but the court may, in its  
 9 discretion, allow such copy to be amended. The court, on motion, may order  
 10 a further bill of particulars when the one filed is insufficient, and in proper  
 11 cases, upon motion, may order either party to file a specification of his claim  
 12 or defense.

Sec. 33. If the plaintiff shall not file his declaration, together with a copy  
 2 of the instrument of writing or account on which the action is brought unless  
 3 the same is out of his possession or control in case the same be brought on a writ-  
 4 ten instrument or account, ten days before the court at which the summons or  
 5 *capias* is made returnable, the court, on motion of the defendant, shall continue  
 6 the cause at the cost of the plaintiff, unless it shall appear that the suit was com-  
 7 menced within ten days of the sitting of the court, in which case the cause shall  
 8 be continued without costs, unless the parties shall agree to have a trial; and if  
 9 the declaration and copy of the instrument of writing or account, on which the  
 10 action is brought, as provided in the preceding section, shall not be filed ten  
 11 days before the second term of the court, the defendant shall be entitled to a  
 12 judgment as in case of a non-suit: *Provided*, That in all suits by *capias*, where  
 13 the defendant shall have been arrested, and in *replevin* and attachment, the  
 14 plaintiff may be required to file his declaration at the first term, and the defend-  
 15 ant may have a trial at such term, unless sufficient cause for a continuance is  
 16 shown.

Sec. 34. Any deed, bond, note, covenant or other instrument under seal  
 2 (except penal bonds), may be sued and declared upon or set off as heretofore  
 3 or in any form of action in which such instrument might have been  
 4 sued and declared upon or set off if it had not been under seal, and  
 5 demands upon simple contracts may be set off against demands upon sealed in-  
 6 stuments, judgments or decrees.

Sec. 35. It shall not be necessary, in any pleading, to make profert of the  
 2 instrument alleged; but in any action or defense upon an instrument in writing,  
 3 whether under seal or not, if the same is not lost or destroyed, the opposite  
 4 party may have oyer thereof and proceed thereon in the same manner as if  
 5 profert had been properly made according to the common law.

Sec. 36. In actions brought on penal bonds, conditioned for the perform-  
 2 ance of covenant, the plaintiff shall set out the conditions thereof, and may as-  
 3 sign in his declaration as many breaches as he may think fit; and the jury,  
 4 whether on trial of the issue or of inquiry, shall assess the damages for so  
 5 many breaches as the plaintiff shall prove, and the judgment for the penalty  
 6 shall stand as a security for such other breaches as may afterwards happen,  
 7 and the plaintiff may, at any time afterwards, sue out a writ of inquiry to as-  
 8 sess damages for the breach of any covenant or covenants contained in such  
 9 bond, subsequent to the former trial or inquiry; and whenever execution shall  
 10 be issued on such judgment, the clerk shall endorse thereon the amount of dam-  
 11 ages assessed by the jury, with the costs of suit, and the sheriff or coroner shall  
 12 only collect the amount so endorsed: *Provided*, That in all cases where a writ  
 13 of inquiry of damages shall be issued for any such breaches, subsequent to the  
 14 first trial or inquiry, the defendant, or his agent or attorney, shall have at least  
 15 ten days' notice, in writing, of the time of executing the same.

Sec. 37. The distinctions between the actions of "trespass" and "tres-  
 2 pass on the case" are hereby abolished; and in all cases where trespass or tres-  
 3 pass on the case has been heretofore the appropriate form of action, either of  
 4 said forms may be used, as the party bringing the action may elect.

Sec. 38. Counts in trover and replevin may be joined in the same action.

Sec. 39. A claim for rent may be joined in a complaint or proceeding of  
 2 forcible entry and detainer.

Sec. 40. At any time before final judgment in a civil suit, amendments  
 2 may be allowed on such terms as are just and reasonable, introducing any  
 3 party necessary to be joined as plaintiff or defendant, discontinuing as to any  
 4 joint plaintiff or joint defendant, changing the form of the action, and in any  
 5 matter either of form or substance, in any process,• pleading or proceeding  
 6 which may enable the plaintiff to sustain the action for the claim for which it  
 7 was intended to be brought or the defendant to make a legal defense. The ad-  
 8 judication of the court allowing an amendment shall be conclusive evidence of  
 9 the identity of the action.

Sec. 41. If the party commencing any civil suit or proceeding shall have  
 2 misconceived his remedy, he may be permitted, in the discretion of the court,  
 3 and on payment of all accrued costs and such clerk's advance fees as are re-  
 4 quired for the commencement of the suit in the proper forum, by proper amend-  
 5 ments, in the same proceeding, to transfer the suit, if at law, to chancery, and  
 6 if in chancery, to the law docket of the court; and when so transferred, the suit  
 7 shall proceed as though originally commenced on such side of the court.



Sec. 42. In case another defendant is added, summons may issue against  
 2 such defendant, returnable to the next term of the court, and he may be pro-  
 3 ceeded against in the same manner as if he had been made a defendant at the  
 4 commencement of the suit.

Sec. 43. No amendment shall be cause for continuance, unless the party  
 2 affected thereby, or his agent or attorney, shall make affidavit that in conse-  
 3 quence thereof, he is unprepared to proceed to or with the trial of the cause at  
 4 that term, and if the cause thereof is on account of material evidence which the  
 5 party cannot produce, unless time be given him for the purpose, stating in such  
 6 affidavit what particular fact or facts the party expects to prove by such evi-  
 7 dence, and that he verily believes that if the cause is continued, he will be able  
 8 to procure the same by the next term of court: *Provided*, That if the applica-  
 9 tion for continuance is on account of the absence of evidence, and the court is  
 10 satisfied such evidence would not be material on the trial of the cause, or  
 11 if the other party will admit the affidavit in evidence subject to the effect given  
 12 to affidavits for a continuance in this chapter, the cause shall not be continued.

Sec. 44. It shall not be necessary to file a declaration in any scire facias  
 2 to receive a judgment, or foreclose a mortgage, in any court of record in this  
 3 State. And in any such case of scire facias to revive a judgment, where the  
 4 plaintiff in the judgment sought to be revived, or his attorney, shall file an affi-  
 5 davit in the office of the clerk of the court, out of which the writ issues, show-  
 6 ing that the defendant in the scire facias resides, or has gone out of the State,  
 7 or is concealed within the State, so that process cannot be served on him, and  
 8 stating the place or residence of such defendant, if known, or that on due in-  
 9 quiry his place of residence cannot be ascertained; then, in such case, notice to



10 the defendant may be given by publication and mail in the same manner as is  
 11 provided by statute for notice in like cases in chancery.

Sec. 45. On the appearance of the defendant or defendants, the court  
 2 may allow such time to plead as may be deemed reasonable and necessary.

Sec. 46. If the issue on any plea in abatement is the truth of a statement  
 2 in the return on the summons, or that the defendant is sued out of his proper  
 3 county, or is not subject to suit in the county in which the suit is brought, or  
 4 that the court has no jurisdiction over the person of the defendant, and such  
 5 issue is found against the defendant, the judgment shall be respondent ouster.

Sec. 47. The defendant may plead as many matters of fact in several pleas  
 2 as he may deem necessary for his defense, or may plead the general issue, and  
 3 give notice in writing under the same, of the special matters intended to be re-  
 4 lied on for a defense on the trial; in which notice the special matters so in-  
 5 tended to be relied on shall be clearly and explicitly stated; and under which no-  
 6 tice, if adjudged by the court to be sufficiently clear and explicit, the defendant  
 7 shall be permitted to give evidence of the facts therein stated, as if the same  
 8 had been specially pleaded and issue taken thereon.

Sec. 48. The defendant in any action brought upon any contract or agree-  
 2 ment, either express or implied, having claims or demands against the plaintiff  
 3 in such action, may plead the same; or give notice thereof, under the general  
 4 issue or under the plea of payment, and the same, or such part thereof as the de-  
 5 fendant shall prove on trial, shall be set off and allowed against the plaintiff's  
 6 demand and a verdict shall be given for the balance due. No such claim or de-  
 7 mand shall be allowed under a notice under the general issue, or under a plea

8 of payment, unless the nature of such claim or demand is clearly and explicitly  
 9 described in such notice or plea. If it shall appear that the plaintiff is in-  
 10 debted to the defendant, the jury shall find a verdict for the defendant and cer-  
 11 tify to the court the amount so found; and the court shall give judgment in  
 12 favor of such defendant, with the costs of his defense. If the cause is tried by  
 13 the court the finding and judgment shall be in like manner.

Sec. 49. When such plea or notice of set off shall have been interposed,  
 2 the plaintiff shall not be permitted to dismiss his suit without the consent of  
 3 the defendant or leave of the court.

Sec. 50. If the defendant shall plead or give notice of any set off he shall  
 2 file with such plea or notice a copy of the instrument or account upon which he  
 3 intends to rely.

Sec. 51. The pleading of a plea *puis darrein* continuance shall not waive for-  
 2 mer pleas: *Provided, however,* That the court may permit more than one such  
 3 plea to be filed, and, in granting such permission, may direct that the pleading  
 4 thereof shall be a waiver of former pleas.

Sec. 52. Whenever it shall become necessary, for the attainment of jus-  
 2 tice, to allow a plaintiff to reply several matters to the plea of a defendant, or  
 3 to allow a defendant to rejoin several matters to the replication of a plaintiff,  
 4 the court in which the action shall be pending, on the special application of  
 5 the party desiring so to reply or rejoin, may allow the same to be done.

Sec. 53. If, in any suit at law, or in chancery, called for trial upon the  
 2 merits, one of the parties fails to appear, or if the judge to whom the case is

submitted, or before whom the same is tried, finds that the action prosecuted, or the defense set up is frivolous, he may award the successful party, as a part of the final judgment or decree against the unsuccessful party, a sum not more than one per cent of the amount involved, but in no event, less than five dollars, to be taxed as part of the costs of such action.

Sec. 54. In any suit at law or in chancery, in which a demurrer, or dilatory plea or motion shall be overruled, stricken out, withdrawn or abandoned, the court may award to the successful party and against the unsuccessful party the sum of five dollars, which sum shall be taxed as part of the costs of such suit, and shall be paid as a condition of further prosecuting or defending such suit by such unsuccessful party.

Sec. 55. No person shall be permitted to deny, on trial, the execution or assignment of any instrument in writing, whether sealed or not, upon which any action may have been brought, or which shall be pleaded or set up by way of defense or set off, or is admissible under the pleadings, when a copy is filed, unless the person so denying the same shall, if defendant, verify his plea by affidavit; and if plaintiff shall file his affidavit denying the execution or assignment of such instrument: *Provided*, If the party making such denial be not the party alleged to have executed or assigned such instrument, the denial may be made on the information and belief of such party.

Sec. 56. In trials of actions upon contracts, express or implied, where the action is brought by partners, or by joint payees or obligees, it shall not be necessary for the plaintiff, in order to maintain such action, to prove the co-partnership of the individuals named in such action, or to prove the Christian or surnames of such partners, or joint payees or obligees; but the names of such

6 copartners, joint payees or obligees shall be presumed to be truly set forth in  
 7 the declaration, petition or bill: *Provided*, That nothing herein contained shall  
 8 prevent the defendant in any such action from pleading in abatement as here-  
 9 tofore, or of proving, on the trial, either that more persons ought to have been  
 10 plaintiffs, or that more persons have been made plaintiffs than have a legal  
 11 right to sue, or that the Christian or surname is other and different from the one  
 12 stated in the declaration, petition or bill.

Sec. 57. In actions upon contracts, express or implied, against two or more  
 2 defendants, as partners or joint obligators or payors, whether so alleged or  
 3 not, proof of the joint liability or partnership of the defendants, or their Chris-  
 4 tian or surnames, shall not, in the first instance, be required to entitle the plain-  
 5 tiff to judgment, unless such proof shall be rendered necessary by pleading in  
 6 abatement, or unless the defendant shall file a plea in bar, denying the partner-  
 7 ship, or joint liability, or the execution of the instrument sued upon, verified by  
 8 affidavit.

Sec. 58. If, in any pleading in any action or proceeding at law or in equity,  
 2 it shall be averred by positive averment that an adverse party was at a certain  
 3 time the owner, or in the control of any described property, or of some specified  
 4 interest or easement therein, or of a certain railroad, engine, motor, car, train,  
 5 machine, mine, brickyard, furnace, foundry, warehouse, passenger or freight  
 6 elevator, shop, plant, factory, or any other machinery, works, establishment or  
 7 industry; or that a person named was an officer, agent or employe of an ad-  
 8 verse party at the time averred in such pleading and had certain authority; or  
 9 that a specified amount of money, or any certain chattels, or other real or per-  
 10 sonal property was delivered to or received by, or in the possession of an ad



verse party on or before the certain averred time; or that certain items of account or payment set forth in the pleadings are correct; or that the adverse party is a resident of a certain state, county or place; or signed or executed a described writing at or upon a specified time; or held or occupied any elective or appointive office when the cause of action arose, and was duly qualified as such officer; or was in the possession of certain deeds, contracts, leases, books or papers of any kind, at the time averred in such pleading, and that such deeds, contracts, leases, books or papers are of certain purport or tenor; the adverse party shall not be permitted to deny on the trial either or any of such averments, or any part thereof, unless he shall file with his subsequent pleading, which would otherwise be taken as a denial of such averments, an affidavit denying the truth of such averments, or of the part thereof which he wishes to deny, and he shall then only be permitted to deny, upon the trial, so much of any such averment as he shall have denied in his affidavit. Such affidavit may be made by such adverse party, his agent or attorney. If made on information and belief, it shall specify the source of information and reasons for belief.

Sec. 59. A plea of *nul tiel corporation* or any other pleading denying the qualification or competency of the adverse party to maintain the action, cross action, counter claim or set off, shall be verified by affidavit, and, unless so verified, the adverse party shall not be required to prove on the trial the matter or thing by such plea or pleading denied. Such affidavit may be made by the party filing such pleading, his agent or attorney, upon information and belief.

Sec. 60. After an action at law heretofore or hereafter commenced is at issue, either party may serve upon the opposite party, whether such party be a natural person or body corporate, not to exceed fifteen written interrogatories



4 upon any matter material to the issue (each interrogatory being confined to a  
 5 single proposition), and the same shall be answered in writing under oath, and  
 6 the answer served upon the party proposing the interrogatories within fifteen  
 7 (15) days after their service, and the answer shall be strictly responsive to the  
 8 interrogatories proposed, and, in the case of a body corporate, it shall be under  
 9 the oath of such of the officers, agents or employees of the corporation as have  
 10 personal knowledge of the facts or custody of the books, records or papers, of  
 11 said corporation, a discovery of which is sought, and the court may, by an at-  
 12 tachment for contempt, a suppression of the defense, a stay of the proceedings  
 13 or otherwise, compel an answer thereto, and such answer shall be evidence in the  
 14 action if offered as such by the party proposing the interrogatories, but not  
 15 otherwise: *Provided, however,* That the court may, upon good cause shown,  
 16 and upon two days' notice to the other party, order any of said interrogatories  
 17 to be stricken out or amended, or new ones to be added, or give further time  
 18 for answering the same, or order the same to be amended.

Sec. 61. If the plaintiff in any suit upon a contract, express or implied, for  
 2 the payment of money, shall file with his declaration an affidavit showing the  
 3 nature of his demand, and the amount due him from the defendant, after allow-  
 4 ing to the defendant all his just credits, deductions and set-offs, if any, he shall  
 5 be entitled to judgment, as in case of default, unless the defendant, or his agent  
 6 or attorney, shall file with his plea an affidavit, stating that he verily believes  
 7 the defendant has a good defense to said suit upon the merits to the whole or a  
 8 portion of the plaintiff's demand, and specifying the nature of such defense,  
 9 and if a portion specifying the amount (according to the best of his judgment  
 10 and belief), upon good cause shown, the time for filing such affidavit may be ex-  
 11 tended for such reasonable time as the court shall order; no affidavit of merits

12 need be filed with a demurrer or motion: *Provided*, That this section shall not  
 13 apply to any case where an executor or administrator shall defend in behalf of an  
 14 estate: *And Provided, further*, That if the plaintiff, his agent or attorney,  
 15 shall file an affidavit stating that affiant is taken by surprise by such plea and  
 16 affidavit of merits, and that he believes that plaintiff has testimony to support  
 17 his claim against the defendant, which he cannot produce at that term of court,  
 18 but expects to produce by the next term, the court shall continue such cause until  
 19 the next term. If the affidavit of defense is to only a portion of the plaintiff's  
 20 demand, the plaintiff shall be entitled to a judgment for the balance of his de-  
 21 mand, and the suit shall thereafter proceed as to the portion of the plaintiff's  
 22 demand in dispute as if the suit had been brought therefor; but in such case the  
 23 costs shall abide the final result of the suit.

Sec. 62. When any part of the demand is upon an account, and the defend-  
 2 ant shall suffer default for the want of an affidavit of merits, or for non-appear-  
 3 ance, or for *nil dicit*, the affidavit so filed with the declaration may be taken as  
 4 *prima facie* evidence of the amount due upon such account; but the court may  
 5 require further evidence.

Sec. 63. For want of appearance the court may give judgment by default,  
 2 except in cases where the process has not been served, or declaration filed, ten  
 3 days before the term of the court.

Sec. 64. The court may, in its discretion, before final judgment, set aside  
 2 any default, and may, during the term, set aside any judgment upon good and  
 3 sufficient cause, upon affidavit, upon such terms and conditions as shall be  
 4 deemed reasonable.

Sec. 65. In all suits in the courts of record in this State upon default,  
 2 when the damages are to be assessed, it shall be lawful for the court to hear  
 3 the evidence and assess the damages without a jury for that purpose. In all  
 4 cases where interlocutory judgment shall be given in any action brought upon  
 5 a penal bond, or upon any instrument of writing, for the payment of money  
 6 only, and the damages rest in computation, the court may refer it to the clerk,  
 7 to assess and report the damages, and may enter judgment therefor: *Provided,*  
 8 That either party may have the damages assessed by a jury.

Sec. 66. In all cases in any court of record in this State, if both parties  
 2 shall agree, both matters of law and fact may be tried by the court.

Sec. 67. Upon a trial by the court either party may, within such time as  
 2 the court may require, submit to the court written propositions to be held as law  
 3 in the decisions of the case, upon which the court shall write "refused" or  
 4 "held," as he shall be of opinion is the law, or modify the same, to which either  
 5 party may except as to other opinions of the court. In any case so tried the  
 6 court shall find specially upon any material question or questions of fact, which  
 7 shall be submitted in writing by either party before the commencement of the  
 8 argument.

Sec. 68. When either party shall apply for a continuance of a cause on ac-  
 2 count of the absence of material evidence, the motion shall be supported by the  
 3 affidavit of the party so applying or his authorized agent, showing that due dili-  
 4 gence has been used to obtain such evidence, or the want of time to obtain it,  
 5 and of what particular fact or facts the same consists, and if the evidence con-  
 6 sists of the testimony of a witness, his place of residence, or if his place of resi-  
 7 dence is not known, showing that due diligence has been used to ascertain the



8 same, and that if further time is given such evidence can be procured. The  
 9 court may permit an additional affidavit to be filed to supply any necessary aver-  
 10 ment which has been omitted from the original affidavit. The court may, by  
 11 consent of the adverse party, postpone the trial to a subsequent day in the term,  
 12 without prejudice, however, to the right of either party to make further appli-  
 13 cation, or may continue the trial until the next term of the court.

Sec. 69. Should the court be satisfied that such evidence would not be ma-  
 2 terial on the trial of the cause, or if the other party will admit the affidavit in  
 3 evidence, the cause shall not be postponed or continued.

Sec. 70. When the affidavit is concerning the evidence of a witness, the  
 2 party admitting such affidavit shall be held to admit only that if the absent wit-  
 3 ness were present he would testify as alleged in the affidavit, and such admis-  
 4 sion shall have no greater force or effect than if such absent witness were  
 5 present and testified as alleged in the affidavit, leaving it to the party admitting  
 6 such affidavit to controvert the statements contained therein, or to impeach  
 7 said witness, the same as if such witness were present and examined in open  
 8 court.

Sec. 71. It shall be a sufficient cause for a continuance of any case, in time  
 2 of war or insurrection, that the defendant is in the military service of the United  
 3 States or of this State, if it shall be made to appear to the court, by affidavit, and  
 4 that the presence of the defendant is in any degree necessary for a full and  
 5 fair defense of the suit. The costs of a continuance under this section shall  
 6 abide the result of the suit.

Sec. 72. In all suits at law or in equity, pending in any court of this State  
 2 at any time when the General Assembly is in session, it shall be a sufficient

3 cause for a continuance if it shall appear to the court, by affidavit, that any  
 4 party applying for such continuance, or any attorney, solicitor or counsel of  
 5 such party, is a member of either house of the General Assembly, and in actual  
 6 attendance on the sessions of the same, and that the attendance of such party,  
 7 attorney, solicitor or counsel, in court, is necessary to a fair and proper trial of  
 8 such suit; and, on the filing of such affidavit, the court may continue such suit;  
 9 and when so continued, no trial or other proceedings shall be had therein until  
 10 the adjournment of the General Assembly, nor within ten days thereafter. Such  
 11 affidavit shall be sufficient, if made at any time during the session of the Gen-  
 12 eral Assembly, showing that at the time of making the same, such party, attorney,  
 13 solicitor or counsel is in actual attendance upon such session of the General  
 14 Assembly.

Sec. 73. The foregoing section shall not apply to cases of application for  
 2 continuance by reason of the absence of any attorney, or solicitor or counsel,  
 3 who shall not have been actually employed in such suit prior to the commence-  
 4 ment of such session of the General Assembly, nor to the practice in the Su-  
 5 preme Court.

Sec. 74. From the commencement of any action or suit or filing of a set-  
 2 off, the attorney who appears for a party shall have a lien upon his client's  
 3 cause of action or set-off, for a reasonable fee for services rendered, which lien  
 4 shall attach to a verdict, report, decree or judgment in his client's favor, and  
 5 the proceeds thereof in whosoever hands they may come, and cannot be af-  
 6 fected by a settlement between the parties before or after judgment, or final or-  
 7 der. The court upon the application of any person interested shall determine  
 8 the amount of the lien.



Sec. 75. All actions in which matters of account are in controversy, may,  
 2 by order of the court, be referred to some competent person or persons as a ref-  
 3 erree or referees to state and report an account between the parties, and the  
 4 amount that may be due from either party to the other, which report, when  
 5 confirmed by the court, shall be final and conclusive between the parties and  
 6 judgment entered thereon and execution issued in the manner provided by law  
 7 in cases of arbitration and award, but either party may, within ten days after  
 8 notice of the filing of the report, file exceptions thereto and demand a trial, in  
 9 which case the action shall be tried as other cases, and upon such trial the re-  
 10 port of the referee or referees shall be *prima facie* evidence of all the facts there-  
 12 in found and reported; and no other exceptions shall be considered on the  
 13 trial than those filed as above provided. When more than one referee is ap-  
 14 pointed by an order of reference, a report signed by the majority of the refer-  
 15 ees shall be considered as the report of the referees. The referee or referees  
 16 shall receive the same fees as are provided by law for referees, and the costs  
 17 of the reference shall abide the result of the suit. Notice of the filing of the  
 18 report shall be given the respective parties by the referee or referees, and he  
 19 or they shall file proof thereof, with the report.

Sec. 76. In all civil actions each party shall be entitled to a challenge of  
 2 five (5) jurors without showing cause for such challenge.

Sec. 77. Every person desirous of suffering a non-suit shall be barred  
 2 therefrom, unless he do so before the jury retire from the bar, or if the case is  
 3 tried before the court without a jury, before the case is submitted for final de-  
 4 cision. No person who dismisses his suit or action, or suffers a non-suit, shall  
 5 be permitted to commence another suit or action, for the same cause of

6 action, in any court without first paying all of the costs accrued in such former  
7 suit or action up to and including such dismissal or non-suit.

Sec. 78. If one or more of the counts in a declaration be faulty, the de-  
2 fendant may apply to the court to instruct the jury to disregard such faulty  
3 count or counts.

Sec. 79. The court, in charging the jury, shall only instruct as to the law  
2 of the case.

Sec. 80. Hereafter no judge shall instruct the petit jury in any case, civil  
2 or criminal, unless such instructions are reduced to writing.

Sec. 81. When instructions are asked which the judge cannot give, he  
2 shall, on the margin thereof, write the word "refused," and such as he ap-  
3 proves he shall write on the margin thereof the word "given," and he shall in  
4 no case after instructions are given, qualify, modify, or in any manner explain  
5 the same to the jury otherwise than in writing. Exceptions to the giving or re-  
6 fusing any instruction may be entered at any time before the entry of final  
7 judgment in the case.

Sec. 82. Such instructions so given shall be taken by the jury in their re-  
2 tirement, and returned by them, with their verdict, into court.

Sec. 83. Papers read in evidence, other than depositions, may be carried  
2 from the bar by the jury.

Sec. 84. It shall be sufficient for the jury to pronounce their verdict, by  
2 their foreman, in open court, without reducing the same to writing, and the  
3 clerk shall enter the same in form, under the direction of the court; and if either

4 party may wish to except to the verdict, or for other causes, to move for a new  
 5 trial or in arrest of judgment, he shall, before final judgment be entered, or  
 6 during the term it is entered, by himself or counsel, file the points in writing, par-  
 7 ticularly specifying the grounds of such motion, and final judgment shall there-  
 8 upon be stayed until such motion can be heard by the court. But no more than  
 9 two new trials upon the same grounds shall be granted to the same party in the  
 10 same cause, nor shall any verdict or judgment be set aside for irregularity only,  
 11 unless cause be shown for the same, during the sitting of the court, at the term  
 12 such judgment or verdict shall be given. In all cases where a new trial shall  
 13 be granted on account of improper instructions having been given by the judge,  
 14 or improper evidence admitted, or because the verdict of the jury is contrary to  
 15 the weight of the evidence, or for any other cause not the fault of the party  
 16 applying for such new trial, said new trial shall be granted without costs, and  
 17 as of right.

Sec. 85. Whenever an entire verdict shall be given on several counts, the  
 2 same shall not be set aside or reversed on the ground of any defective count, if  
 3 one or more of the counts in the declaration be sufficient to sustain the verdict.

Sec. 86. In all trials by jury in civil proceedings in this State, in courts of  
 2 record, the jury may render, in their discretion, either a general or a special  
 3 verdict; and in any case in which they render a general verdict, they may be  
 4 required by the court, and must be so required on request of any party to the  
 5 action, to find specially upon any material question or questions of fact which  
 6 shall be stated to them in writing, which questions of fact shall be submitted by  
 7 the party requesting the same to the adverse party before the commencement of  
 8 the argument to the jury. Submitting, or refusing to submit a question of fact

9 to the jury when requested by a party, as above provided, may be excepted to  
 10 and be reviewed on appeal or writ of error, as a ruling on a question of law.  
 11 When the special finding of fact is inconsistent with the general verdict, the for-  
 12 mer shall control the latter and the court may render judgment accordingly.

Sec. 87. When judgment shall be arrested for any defect in the record of  
 2 proceedings after the first process, the plaintiff shall not be compelled to com-  
 3 mence his action anew; but the court shall order new pleadings to commence  
 4 with the error that caused the arrest.

Sec. 88. If during the progress of any trial in any civil or criminal cause,  
 2 either party shall allege an exception to the opinion of the court, and reduce  
 3 the same to writing, it shall be the duty of the judge to allow said exception  
 4 and sign the same, and the said exception shall thereupon become a part of the  
 5 record of such cause. A bill of exceptions or certificate of evidence allowed in  
 6 any cause shall be deemed sufficiently authenticated if signed by the judge of  
 7 the court in which the cause was tried or by the presiding judge thereof, if  
 8 more than one judge sat at the trial of the cause, without any seal of the court  
 9 or judge annexed thereto. And in case the judge before whom the cause has  
 10 heretofore been, or may hereafter be tried, is, by reason of death, sickness, or  
 11 other disability, unable to hear and pass upon a motion for a new trial in a case  
 12 at law, and allow and sign a bill of exceptions or certificate of evidence, then the  
 13 judge who succeeds such trial judge, or any other judge of the court in which the  
 14 cause was tried, holding such court thereafter, if the evidence in such case has  
 15 been or is taken in stenographic notes, or if the said judge is satisfied by any  
 16 other means that he can pass upon such motion in a case at law, and allow a true  
 17 bill of exceptions, or certificate of evidence, shall pass upon said motion, in a



18 case at law, and allow and sign such bill of exceptions or certificate of evidence;  
 19 and his ruling upon such motion in a case at law, and allowance and signing  
 20 such bill of exceptions, or certificate of evidence, shall be as valid as if such  
 21 ruling and allowance and signing had been made by the judge before whom such  
 22 cause was tried; but in case said judge is satisfied that owing to the fact that he  
 23 did not preside at the trial, or for any other cause, he can not fairly pass upon  
 24 said motion in a case at law and allow and sign said bill of exceptions, or cer-  
 25 tificate of evidence, then he may, in his discretion, grant a new trial to the party  
 26 moving therefor.

Sec. 89. Exceptions taken to decisions of the court, upon the trial of causes  
 2 in which the parties agree that both matters of law and fact may be tried by  
 3 the court, and in appeal cases, tried by the court without the intervention of a  
 4 jury, shall be deemed and held to have been properly taken and allowed, and  
 5 the party excepting may assign for error any decision so excepted to, whether  
 6 such exception relates to receiving improper or rejecting proper testimony, or  
 7 to the final judgment of the court upon the law and evidence.

Sec. 90. Exceptions taken to decisions of the court overruling motions in  
 2 arrest of judgment, motions for new trials, motions to amend and for continu-  
 3 ances of causes, shall be allowed, and the party excepting may assign for error  
 4 any decision so excepted to.

Sec. 91. Exceptions taken to decisions of any court in this State overruling  
 2 motions in arrest of judgment, for new trials, or for continuances or change of  
 3 venue, shall be allowed in criminal cases and in penal and *qui tam* actions; and  
 4 the party excepting to such decisions may assign the same for error, in the same  
 5 manner as in civil cases.



Sec. 92. All affidavits read in court during the progress of any cause, and  
 2 relating thereto, shall be filed and preserved by the clerk.

Sec. 93. Whenever in any suit or proceeding at law or in equity in any  
 2 court of record, evidence shall be necessary concerning any fact which, accord-  
 3 ing to law and the practice of the court may now be supplied by affidavit, the  
 4 court may, in its discretion, require such evidence to be presented, wholly or in  
 5 part by oral examination of the witnesses in open court or, in equity cases, be-  
 6 fore a master in chancery, upon notice to all parties not in default, or their at-  
 7 torneys, and whenever such evidence is presented by oral examination, an ad-  
 8 verse party shall have the right to cross-examination. Evidence so presented  
 9 may be preserved by bill of exceptions or certificate of evidence. This section  
 10 shall not apply to applications for change of venue.

Sec. 94. A party intending to move, out of term, to set aside or quash any  
 2 execution, replevin bond or other proceeding, may apply to the judge at his  
 3 chamber for a certificate (and which the said judge may, in his discretion, grant)  
 4 certifying that there is probable cause for staying further proceedings until the  
 5 order of the court on the motion, and a service of a copy of the certificate at  
 6 the time of, or after the service of the notice of the motion, shall thenceforth  
 7 stay all further proceedings accordingly. But in no case shall the judge grant  
 8 such certificate when the error complained of may, by the direction of the  
 9 judge to the clerk issuing the process, be corrected, but the judge shall order the  
 10 correction and the clerk shall make the correction in the process as if ordered in  
 11 term time, nor unless the applicant shall have given notice of such motion to the  
 12 opposite party, or his attorney of record, if they or either of them can be found  
 13 in the county from which the writ issued.

Sec. 95. Any person for a debt *bona fide* due may confess judgment by himself or attorney duly authorized, either in term time or vacation, without process, but no judgment shall be confessed by an attorney in the absence of the debtor, on any warrant of attorney hereafter executed, unless the time fixed in the note or contract for the payment of the money has elapsed. Judgments entered in vacation shall have like force and effect, and, from the date thereof, become liens in like manner and extent as judgments entered in term.

Sec. 96. The writ of error *coram nobis* is hereby abolished, and all errors in fact, committed in the proceedings of any court of record, and which, by the common law, could have been corrected by said writ, may be corrected by the court in which the error was committed, upon motion in writing, made at any time within five years after the rendition of final judgment in the case, upon reasonable notice. When the person entitled to make such motion shall be an infant, *non compos mentis* or under duress, at the time of passing judgment, the time of such disability shall be excluded from the computation of said five years.

Sec. 97. Appeals shall lie to and writs of error from the Appellate or Supreme Court, as may be allowed by law, to review the final judgments, orders or decrees of any of the circuit courts, the Superior Court of Cook county, the county courts or the city courts, in any suit or proceeding at law or in chancery. Appeals shall lie to the Appellate Court or Supreme Court, as may be provided by law, from the final orders, judgments and decrees, in county and probate courts, in suits and proceedings relating to probate, conservatorship, guardian and ward, and to the other subjects over which probate courts have jurisdiction, except in probate of wills and claims against estates. Appeals or

10 writs of error in this section allowed shall be subject to the limitations by this  
11 Act provided and to the conditions imposed by law.

Sec. 98. No appeals shall be taken from the final judgments, orders, or de-  
2 crees, of any court of record, in any civil case, matter or proceeding, for the re-  
3 covery of money or property, and in actions sounding in damages, where the  
4 sum or value in the controversy shall not exceed one hundred dollars, exclusive  
5 of costs: *Provided*, In any such case the court, or judge thereof in vacation, may,  
6 on petition for that purpose, presented within twenty days, by any party con-  
7 sidering himself aggrieved by any such final judgment, order, or decree, grant  
8 a certificate of importance stating therein the grounds upon which the same is  
9 based, and allow an appeal to be taken as in other cases; this proviso shall re-  
10 ceive a liberal construction.

Sec. 99. Appeals shall be prayed for and allowed at the term at which the  
2 judgment, order or decree is rendered, and the party praying for such an ap-  
3 peal shall, within such time, not less than twenty days, as shall be limited by the  
4 court, give and file in the office of the clerk of the court from which the appeal  
5 is prayed, bonds, in a reasonable amount, to secure the adverse party, to be  
6 fixed by the court, with sufficient security, to be approved by the court. If the  
7 appeal is from a judgment or decree for the recovery of money, the condition  
8 of the bond shall be for the prosecution of such appeal and the payment of judg-  
9 ment, interest, damages and costs in case the judgment is affirmed. In all other  
10 cases the condition shall be directed by the court with reference to the character  
11 of the judgment, order or decree appealed from. The obligee in such bond may  
12 at any time, on a breach of the conditions thereof, have and maintain an action  
13 at law as on other bonds.

Sec. 100. The clerk of the court may, by order of the court, make at the  
 2 time of praying the appeal, and entered of record approve of the security offered  
 3 upon such bond, and such approval may be made in term time or vacation.

Sec. 101. No appeal to the Supreme or Appellate Court shall be dismissed  
 2 by reason of any informality or insufficiency of the appeal bond, if the party  
 3 taking such appeal shall, within a reasonable time, to be fixed by the court, file  
 4 a good and sufficient bond in such cause, to be approved by the said court.

Sec. 102. Every court, clerk of court and other officer authorized to take  
 2 any bond, bail or surety, shall have power to examine on oath the person offer-  
 3 ing to become such bail or surety, concerning his property and sufficiency of such  
 4 bail or surety. If a party who has had no opportunity to examine a surety on  
 5 any bond, bail or other security given or offered in any action or proceeding  
 6 at law, or in equity or in any criminal case, shall file objections to the sufficiency  
 7 of any bond, bail or other security given or offered in any such action, pro-  
 8 ceeding or case, the court, clerk or other officer, whose duty it is to pass upon  
 9 such bond or security, shall direct the surety to appear in open court, or before  
 10 such clerk or officer, to be examined concerning his property and sufficiency of  
 11 such bail or surety, at a designated place and time not more than five days after  
 12 service of notice of such direction upon the party or his attorney, giving or offer-  
 13 ing to give such bond, bail or security. If such surety shall not appear at the  
 14 time fixed in such order, or shall be found insufficient by the court, clerk or oth-  
 15 er officer, as the case may be, the bond, bail or security given or offered, shall  
 16 be canceled or rejected, but the party giving or offering such bond, bail or se-  
 17 curity, may file a new and sufficient bond, and if the time limited for the  
 18 filing thereof has expired, shall have five days' additional time for that pur-  
 19 pose. Notice of the direction to appear for such examination may be served by



20 the party objecting, his agent or attorney. This section shall not be construed  
 21 to permit an examination by an inferior court or clerk after the record on ap-  
 22 peal has been filed in the reviewing court.

Sec. 103. No attorney practicing in this State shall be accepted as bail or  
 2 surety on any undertaking, bond or recognizance in any action or proceeding,  
 3 civil or criminal, excepting bonds for costs only.

Sec. 104. In all cases where a judgment, order or decree, reviewable by  
 2 the Appellate or Supreme Court, shall be rendered in any circuit court, or in the  
 3 Superior Court of Cook county, or in any city, county or probate court, in any  
 4 case or proceeding whatever, against two or more persons, either one of said  
 5 persons shall be permitted to remove such suit to the reviewing court by ap-  
 6 peal or writ of error, as may be by law allowed, and for that purpose shall be  
 7 permitted to use the names of all of said persons, if necessary; but no cost shall  
 8 be taxed against any person who shall not join in said appeal or writ of error.  
 9 All such cases shall be determined in said reviewing courts, as other suits are,  
 10 and in the same manner as if all the parties had joined in such appeal or writ of  
 11 error.

Sec. 105. The state, counties, cities, villages, towns, school districts and all  
 2 other municipal corporations, and the corporations of all charitable, education-  
 3 al, penal or reformatory institutions under the patronage and control of the  
 4 State, and all public officers, when suing or defending in their official capacities  
 5 for the benefit of the public, may in all cases of appeal or writ of error by them  
 6 from any inferior court to any higher court prosecute the same without giving  
 7 bond; and the Supreme or Appellate Court, or the judges thereof in vacation,  
 8 may grant writs of supersedeas on any writ of error or appeal when prosecuted



9 by the State, or any of said corporations or public officers without requiring any  
 10 bond to be given, as required by law as in other cases.

Sec. 106. All cases in the Appellate or Supreme Court on appeal or writ  
 2 of error shall be docketed as in the trial court, except that the party taking the  
 3 appeal or suing out the writ of error shall be called the appellant or plaintiff  
 4 in error, as the case may be, and the other party the appellee or defendant in  
 5 error.

Sec. 107. Authenticated copies of records of judgments, orders and decrees  
 2 appealed from, shall be filed in the office of the clerk of the Supreme Court or  
 3 of the Appellate Court, as the case may be, on or before the second day of the  
 4 succeeding term of said courts: *Provided*, Twenty (20) days shall have inter-  
 5 vened between the last day of the term at which the judgment, order or decree  
 6 appealed from shall have been entered and the sitting of the court to which the  
 7 appeal shall be taken; but if ten (10) days and not twenty (20) shall have inter-  
 8 vened as aforesaid, then the record shall be filed as aforesaid, on or before the  
 9 tenth (10th) day of said succeeding term, otherwise the said appeal shall be  
 10 dismissed, unless further time to file the same shall have been granted by the  
 11 court to which said appeal shall have been taken upon good cause shown. If  
 12 copies of the records of judgments, orders and decrees appealed from shall not  
 13 be filed within the time above allowed, and appellee shall thereafter file in said  
 14 Appellate or Supreme Court, as the case may be, the certificate of the clerk of  
 15 the court, by which such appeal was granted, stating therein the title of the  
 16 cause, the date, character and amount of the judgment, order or decree ap-  
 17 pealed from against whom the same was rendered, the time when and the condi-  
 18 tion, if any, upon which the appeal was granted, the name of the party taking

19 the appeal, and that the appeal was perfected as required by the order allowing  
 20 the same, such certificates shall be *prima facie* evidence of the matters therein  
 21 stated, and shall be a sufficient basis for a motion in the Appellate or Supreme  
 22 Court to affirm the judgment, order or decree appealed from, or to dismiss the  
 23 appeal, and the court shall affirm the judgment or dismiss the appeal as for want  
 24 of prosecution.

Sec. 108. When appeals from judgments, orders or decrees for the recovery of money are dismissed by the Supreme or Appellate Court for want of prosecution, or for failing to file authenticated copies of records, as required by law, or are affirmed for either of such causes, the court shall enter judgment against the appellants for not less than five (5) nor more than ten (10) per cent damages on the amount recovered in the trial court or inferior court. If the judgment, order or decree appealed from is not for the recovery of money, the Appellate or Supreme Court, as the case may be, shall, in case of dismissal or affirmation, for either of the causes in this section mentioned, enter judgment for not less than fifty (50) dollars, nor more than two hundred and fifty (250) dollars damages. The appellee shall be entitled to execution thereon as on other judgments.

Sec. 109. In the event any case is taken by appeal or writ of error to either the Supreme or Appellate Court and it is found or adjudged that the case was wrongfully appealed or taken to such court, it shall be the duty of such court, immediately on so finding or adjudging, to direct the clerk to transmit the transcript and all files therein with the order of transfer to the clerk of the proper court. On the receipt of such record by the clerk of the court to which the appeal should have been taken, he shall at once file the same in his office, and the case shall there proceed as if the same had been taken there from the

9 inferior court. An appeal or supersedeas bond executed in any case which  
10 may be transferred as aforesaid, shall be binding on the parties thereto with  
11 the same force and effect as if given in a case taken directly to the court to  
12 which the case was transferred.

Sec. 110. The parties in any suit or proceeding whatever, in any circuit,  
2 county or probate court, or the Superior Court of Cook county, or in any city  
3 court, may make an agreed case containing the points of law at issue between  
4 them, and file the same in such court; and the said agreed case, with the de-  
5 cision thereon, may be certified to the Appellate Court or Supreme Court by  
6 the clerk of such court, if the same is reviewable by the Appellate or Supreme  
7 Court, without certifying any fuller record in the case; and, upon such agreed  
8 case being so certified and filed in the Appellate Court or Supreme Court, the  
9 appellant or plaintiff in error may assign errors, and the case shall then be pro-  
10 ceeded in in the same manner as it might have been had a full record been certi-  
11 fied to said Appellate Court or Supreme Court.

Sec. 111. Any judge of the circuit, county or probate court, or the Super-  
2 ior Court of Cook county, or of any city court, may, if the parties litigant as-  
3 sent thereto, certify any question or questions of law arising in any case or  
4 proceeding whatever tried and finally determined before him to the Appellate  
5 or Supreme Court, if the case is reviewable by the Appellate or Supreme Court,  
6 together with his decision thereon; or the parties in the case or proceeding may  
7 agree as to the question or points of law arising therein, and the same may be  
8 certified by the counsel or attorneys of the respective parties, who shall sign  
9 their names thereto, and, upon such certificate being made, the same shall be  
10 filed in the court rendering the decision, and a copy of such certificate, certified

11 by the clerk of said court, with the decision thereon and final decision in the case  
 12 or proceeding, to the Appellate Court or Supreme Court, if reviewable by such  
 13 court, and filed therein; and, upon filing the same, the like proceedings may be  
 14 had in the Appellate Court or Supreme Court, as if a full and complete record  
 15 had been transcribed and certified to said court.

Sec. 112. The two preceding sections shall not apply to cases in which the  
 2 title to real estate is in question, nor to cases where any question of fact apper-  
 3 taining to the constitutional enactment of a law of this State is involved.

Sec. 113. No writ of error shall operate as a supersedeas unless the Su-  
 2 preme Court or Appellate Court, as the case may be, or some judge thereof  
 3 in vacation, after inspecting a copy of the record, shall order the same to be made  
 4 a supersedeas, nor until the party procuring such writ shall file a bond in the  
 5 manner and with the conditions required in case of appeal, when the clerk is-  
 6 suing such writ shall endorse thereon that it shall be a supersedeas, and oper-  
 7 ate accordingly; and the parties in writs of error shall be subject to the same  
 8 judgment and mode of execution as is provided in case of appeal.

Sec. 114. In all cases of appeal to the Supreme Court or Appellate Court,  
 2 or writ of error, the appellee or defendant in error may assign cross-errors;  
 3 and the court shall dispose of the same as in other cases of assignment of error.

Sec. 115. No judgment, order, or decree shall be reversed by the Supreme  
 2 Court or Appellate Court upon appeal or writ of error for want of a joinder in  
 3 error; but upon error being assigned, if the opposite party does not plead in  
 4 proper time, the case shall be treated as if error had been joined.



Sec. 116. A plea of release of errors, though adjudged bad or not sus-  
 2 tained, shall not deprive the defendant of the right to join in error.

Sec. 117. In all cases of appeal and writ of error, the Supreme Court or Ap-  
 2 pellate Court may give final judgment and issue execution, or remand the cause  
 3 to the inferior court, in order that an execution may be there issued, or that  
 4 other proceedings may be had thereon. Any judgment rendered in the Su-  
 5 preme Court or Appellate Court shall become a lien on real estate after execu-  
 6 tion shall be issued and levied and a certificate thereof filed in the office of the  
 7 Recorder of Deeds of the county where the real estate levied on is situated.

Sec. 118. The Supreme Court or the Appellate Court, in case of a partial  
 2 reversal, shall give such judgment or decree as the inferior court ought to have  
 3 given, and for this purpose may allow the entering of a remittitur, either in  
 4 term time or in vacation, or remand the cause to the inferior court for further  
 5 proceedings, as the case may require.

Sec. 119. When an appeal or writ of error shall be prosecuted from a  
 2 judgment, order or decree to the Supreme Court or Appellate Court, and such  
 3 appeal or writ of error is dismissed, or the judgment, order or decree is affirin-  
 4 ed, upon a copy of the order of the Supreme Court or Appellate Court, as the  
 5 case may be, being filed in the office of the clerk of the court from which the  
 6 case was originally removed, execution may issue and other proceedings may  
 7 be had thereon in all respects, as if no appeal or writ of error had been prose-  
 8 cuted.

Sec. 120. When any cause or proceeding whatever is remanded by the Su-  
 2 preme Court or Appellate Court, as the case may be, for a new trial or hearing



3 by the court in which such cause or proceeding was originally tried, the Su-  
 4 preme Court or Appellate Court, as the case may be, shall issue its mandate re-  
 5 versing and remanding such cause or proceeding directly to such trial court;  
 6 and upon a transcript of the order of the Supreme Court or Appellate Court,  
 7 as the case may be, remanding the same, being filed in the court in which such  
 8 cause or proceeding was originally tried, and not less than ten days' notice  
 9 thereof being given to the adverse party or his attorney, the cause or proceeding  
 10 shall be reinstated therein. In case of a non-resident party or of non-resident  
 11 parties who can not be found, so that personal notice can not be served upon  
 12 them, the notice may be given as in cases in chancery, or as may be directed by  
 13 the court. In case of reversal and remandment by the Supreme Court of any  
 14 cause or proceeding removed thereto from the Appellate Court, upon the filing  
 15 in such Appellate Court of a certificate of such reversal and remandment, the  
 16 clerk of the Appellate Court shall have the right to issue a fee bill for all such  
 17 costs as accrued in said Appellate Court and did not abide the final action in  
 18 the Supreme Court.

Sec. 121. If neither party shall file such transcript within two years from  
 2 the time of making the final order of the Supreme Court or Appellate Court, as  
 3 the case may be, reversing any judgment or proceeding the cause shall be con-  
 4 sidered as abandoned, and no further action shall be had therein.

Sec. 122. When any cause is remanded by the Supreme Court or Appel-  
 2 late Court, any person shall be entitled to have a transcript of such order duly  
 3 certified by the clerk of such court upon paying to such clerk the costs in such  
 4 cause made by such party in said Supreme or Appellate Court and the fees for  
 5 making such transcript.

Sec. 123. When in any case or proceeding whatever the original bill of exceptions, certificate or evidence, or any original paper is incorporated in the transcript of the record of the trial court, or in any other manner removed to the Appellate or Supreme Court, such bill of exceptions, certificate or evidence, or other paper, shall when the cause or proceeding is finally decided in the Appellate or Supreme Court, upon the application of either party, be returned to the trial court.

Sec. 124. A writ of error shall not be brought after the expiration of one year from the rendition of the decree or judgment complained of; but when a person, thinking himself aggrieved by any decree or judgment that may be reversed in the Supreme Court or the Appellate Court, shall be an infant, *non compos mentis* or under duress when the same was entered, the time of such disability shall be excluded from the computation of the said one year.

Sec. 125. Appeals from and writs of error to circuit courts, the Superior Court of Cook county, the Criminal Court of Cook county, county courts and city courts, in all criminal cases below the grade of felony shall be taken directly to the Appellate Court, and in all criminal cases above the grade of misdemeanors and cases in which a franchise or freehold or the validity of a statute or of a municipal ordinance or a construction of the constitution is involved; and in all cases relating to revenue, or in which the State is interested, as a party or otherwise, shall be taken directly to the Supreme Court. In all cases of writs of error and appeals prosecuted or taken from any decision of any of the Appellate Courts to the Supreme Court, it shall not be necessary for the clerk of the Appellate Court in which said cause was heard and determined to make out and certify a copy of the original transcript of the record filed in the

13 said Appellate Court, but it shall be sufficient for, and it is hereby made the duty  
 14 of the clerk of said Appellate Court to transmit the original transcript of the  
 15 record filed in his office, with his official certificate and seal of office authenti-  
 16 cating the same, with a true and perfect copy of all the orders and proceedings  
 17 appearing of record in said cause, which copy of the record and proceedings,  
 18 duly authenticated with the seal of said court, shall be transmitted to and filed  
 19 in the Supreme Court; and the clerk of the Appellate Court shall be entitled to  
 20 receive from the party procuring said record and transcript the fees allowed  
 21 by law for his certificate and copy of proceedings had in the Appellate Court,  
 22 and he shall not be entitled to charge or receive any fee for copying or transmit-  
 23 ting said original transcript, other than for his certificate and the reasonable  
 24 cost of sending said transcript and record from his office, either by mail or ex-  
 25 press, to the clerk of the Supreme Court.

Sec. 126. In all criminal cases and in all other cases wherein the judgment  
 2 of the Appellate Court is not made final by this Act, which shall be heard in any  
 3 of the Appellate Courts upon errors assigned, and in all cases where the judg-  
 4 ment, order or decree of the Appellate Court would otherwise be final under  
 5 this Act, and in which the court shall certify that in its opinion the decision of  
 6 the Appellate Court conflicts with a prior decision in another case in any other  
 7 Appellate Court, or in which the justices of the Appellate Court are divided in  
 8 opinion upon the law or facts, if the judgment of the Appellate Court be that  
 9 the order, judgment or decree of the court below be affirmed, or if final judg-  
 10 ment, order or decree be rendered therein in the Appellate Court, or if the judg-  
 11 ment, or decree, of the Appellate Court be such that no other proceedings can be  
 12 had in the court below except to carry into effect the mandate of the Appellate  
 13 Court, any party to such cause shall be permitted to remove the same to the

14 Supreme Court by appeal or writ of error in the manner in this Act provided.  
 15 And if a majority of the justices of the Appellate Court shall be of opinion that  
 16 a case decided by them, in which an appeal or writ of error from the Appellate  
 17 Court to the Supreme Court to review the judgment, order or decree of the Ap-  
 18 pellate Court is not allowed by this Act, involves questions of law of such im-  
 19 portance, either on account of principal or collateral interests, as that it should  
 20 be passed upon by the Supreme Court, they may in such case grant an appeal to  
 21 the Supreme Court on petition for that purpose presented to the court in term  
 22 or to two of the justices in vacation, within twenty days after the entry of the  
 23 judgment, order or decree of the Appellate Court, in which case the said Ap-  
 24 pellate Court or two of the justices thereof, as the case may be, shall certify to  
 25 the Supreme Court the ground of granting such appeal. In the cases aforesaid  
 26 where the justices of the Appellate Court are divided in opinion upon the law  
 27 or facts, it shall be the duty of the Appellate Court, in its judgment, order or  
 28 decree, to recite the fact of such division of opinion. And appeals shall also be  
 29 allowed from the judgment of the Appellate Court, to the Supreme Court, in all  
 30 cases where such judgment of the Appellate Court is that the judgment of the  
 31 trial court be reversed and the case remanded for a new trial, if the party so  
 32 appealing will stipulate in writing, at the time of praying the appeal, that final  
 33 judgment in the case may be entered in the Supreme Court against him if such  
 34 appeal is not prosecuted with effect.

Sec. 127. If any final determination of any cause or proceeding whatever  
 2 except in chancery shall be made by the Appellate Court, as the result wholly  
 3 or in part of the finding of the facts, concerning the matter in controversy, dif-  
 4 ferent from the finding of the court from which such cause or proceeding was  
 5 brought by appeal or writ of error, it shall be the duty of such Appellate Court



6 to recite in its final order, judgment or decree, the facts as found; and the judg-  
 7 ment of the Appellate Court shall be final and conclusive as to all matters of  
 8 fact in controversy in such cause or proceeding: *Provided*, In actions at law  
 9 where the Appellate Court reverses the judgment of the trial court without  
 10 awarding a trial *de novo*, as the result wholly or in part of finding the facts  
 11 different from the finding of the trial court and in cases where the justices of the  
 12 Appellate Court are divided in opinion on the law or facts, and the cause is  
 13 taken by appeal or writ of error to the Supreme Court, then the provision that  
 14 the judgment of the Appellate Court shall be final as to the facts, shall not ap-  
 15 ply, and both the facts and the law shall stand for review in the Supreme Court  
 16 as in the Appellate Court.

Sec. 128. In all criminal cases and in all cases where a franchise or a free-

2 hold, or the validity of a statute is involved, and in all other cases where the  
 3 sum or value in the controversy shall exceed one thousand dollars (\$1,000) ex-  
 4 clusive of costs, which shall be heard in any of the Appellate Courts upon er-  
 5 rors assigned, if the judgment of the Appellate Court be that the order, judg-  
 6 ment or decree of the court below be affirmed, or if final judgment or decree  
 7 be rendered therein in the Appellate Court, or if the judgment, order or decree  
 8 of the Appellate Court be such that no further proceedings can be had in the  
 9 court below, except to carry into effect the mandate of the Appellate Court, any  
 10 party to such cause shall be permitted to remove the same to the Supreme Court  
 11 by appeal or writ of error, in the same manner as provided for appeals to said  
 12 Appellate Court: *Provided*, That such appeal may be prayed for at any time  
 13 within twenty days after the rendition of such judgment, order or decree, wheth-  
 14 er such Appellate Court be in session or not, and if such appeal be prayed  
 15 for in vacation, any one or more of the said judges of such Appellate Court



16 may make and sign all orders necessary for the perfecting of such appeal, and  
 17 the clerk shall enter up such orders as part of the record in the case: *And,*  
 18 *Provided further,* That in all cases where the judgment, order or decree is for  
 19 the recovery of money, only, if the judgment, order or decree of the inferior or  
 20 Appellate Court be affirmed by the Supreme Court, or the appeal or writ of  
 21 error be dismissed, the Supreme Court may enter judgment against the appel-  
 22 lant or plaintiff in error for damages, not exceeding ten (10) per centum on the  
 23 amount of the judgment recovered, and shall award execution therefor as on oth-  
 24 er judgments.

Sec. 129. The Supreme Court shall re-examine cases brought to it by ap-  
 2 peal or writ of error from the Appellate Courts, as to questions of law only,  
 3 except as otherwise provided in this Act; and, in the cases aforesaid, no assign-  
 4 ment of error shall be allowed calling in question the determination of the in-  
 5 ferior or Appellate Courts upon controverted questions of fact therein.

Sec. 130. Whenever an interlocutory order or decree is entered in any suit  
 2 pending in any court in this State, granting an injunction, or overruling a mo-  
 3 tion to dissolve the same, or enlarging the scope of an injunction order, or  
 4 appointing a receiver, or giving other or further powers or property to a re-  
 5 ceiver already appointed, an appeal may be taken from such interlocutory order  
 6 or decree to the Appellate Court of the district wherein is situated the court  
 7 granting such interlocutory order or decree: *Provided,* That such appeal is  
 8 taken within thirty days from the entry of such interlocutory order or decree,  
 9 and is perfected in said Appellate Court within sixty days from the entry of such  
 10 order or decree. The force and effect of such interlocutory order or decree and  
 11 the proceedings in the court below shall not be stayed during the pendency of  
 12 such appeal, and the party taking such appeal shall give bond, to be approved by

13 the clerk of the court below, to secure costs in the Appellate Court. Upon filing  
 14 of the record in the Appellate Court the same shall there be at once docketed,  
 15 and shall be ready for hearing under the rules of said court, taking precedence  
 16 of other cases in said court. Upon such appeal the Appellate Court may affirm,  
 17 modify or reverse such interlocutory order or decree, and shall direct such pro-  
 18 ceedings to be had in the court below as the justice of the case may require. If  
 19 such appeal is dismissed, the Appellate Court may allow to the attorney for ap-  
 20 pellee a reasonable solicitor's fee, not to exceed one hundred dollars, to be taxed  
 21 as part of the costs of the appeal. No appeal shall lie or writ of error be prose-  
 22 cuted from the order entered by said Appellate Court on any such appeal.

Sec. 131. It shall be the duty of the Supreme Court to direct by general  
 2 rule what portions of, and the manner in which, the records of the Appellate  
 3 Court shall be made up and certified in cases removed from such Appellate  
 4 Courts to the Supreme Court by appeal or writ of error.

Sec. 132. When any plaintiff in error shall file in the office of the clerk of  
 2 the Supreme Court or Appellate Court, as the case may be, an affidavit showing  
 3 that any defendant resides, or has gone out of this State, or on due inquiry, can-  
 4 not be found, or is concealed within this State, so that process cannot be served  
 5 upon him, and stating the place of residence of such defendant, if known, and  
 6 also the place of residence of the attorney who appeared in the case in the  
 7 court to which the writ of error is directed; or that, upon diligent inquiry, their  
 8 places of residence cannot be ascertained, the clerk of the Supreme Court or  
 9 Appellate Court, as the case may be, wherein the cause shall be pending, shall  
 10 cause publication to be made in some newspaper published in the county in  
 11 which the cause was originally instituted; but if no newspaper shall be published

12 in such county, then such notice shall be published in a newspaper published near-  
 13 est to said county, containing notice of the pendency of such suit, the names of  
 14 the parties thereto, the title of the court and the time and place of the return  
 15 of summons in the case; and he shall also, within ten (10) days of the first pub-  
 16 lication of such notice, send a copy thereof by mail, addressed to such defend-  
 17 ant and the attorney whose places of residence are stated in such affidavit. The  
 18 certificate of the clerk that he has sent such notice in pursuance of this section  
 19 shall be evidence. Such notice shall be published for four (4) consecutive weeks,  
 20 the first insertion of which said notice shall be at least forty days before the  
 21 first day of the term of court to which said writ is made returnable; and unless  
 22 said time has intervened, no proceedings therein shall be had at said term, but  
 23 the said cause shall stand continued to the next term of the court: *Provided,*  
 24 That in case both parties appear and consent to the hearing, the said causes shall  
 25 then be heard.

Sec. 133. The following acts and parts of acts are hereby repealed: An act  
 2 entitled "An act in regard to practice in courts of record," approved February  
 3 22, 1872, in force July 1, 1872, and all acts amendatory thereof, and of any sec-  
 4 tion or sections thereof,

5 An act entitled "An act to amend section eighty-six (86) of an act entitled  
 6 'An act in regard to practice in courts of record,' approved February 22, 1872,"  
 7 approved April 24, 1873, in force July 1, 1873.

8 An act entitled "An act to amend section fifty-one (51) of an act entitled  
 9 'An act in regard to practice in courts of record,' approved February 22, 1872,"  
 10 approved January 27, 1874, in force July 1, 1874.

11       An act entitled “An act to amend an act entitled ‘An act in regard to prac-  
12   tice in courts of record,’ approved February 22, 1872,” approved February 12,  
13   1874, in force July 1, 1874.

14       An act entitled “An act to amend section forty (40) of an act entitled ‘An  
15   act in regard to practice in courts of record,’ approved February 22, 1872,” ap-  
16   proved March 27, 1874, in force July 1, 1874.

17       An act entitled “An act to amend section twenty-five (25) of an act entitled  
18   ‘An act in regard to practice in courts of record,’ approved February 22, 1872,”  
19   approved April 15, 1875, in force July 1, 1875.

20       An act entitled “An act to amend section sixteen (16) of an act entitled ‘An  
21   act in regard to practice in courts of record,’ approved February 22, 1872,” ap-  
22   proved May 22, 1877, in force July 1, 1877.

23       An act entitled “An act to amend section twenty-six (26) of an act entitled  
24   ‘An act in regard to practice in courts of record,’ approved February 22,  
25   1872,” approved May 22, 1877, in force July 1, 1877.

26       An act entitled “An act to amend sections two (2) and four (4) of an act  
27   entitled, ‘An Act in regard to practice in courts of record,’ approved February  
28   22, 1872,” approved May 29, 1877, in force July 1, 1877.

29       An act entitled “An act to amend an act entitled ‘An act in regard to prac-  
30   tice in courts of record,’ approved February 22, 1872,” approved June 2, 1877,  
31   in force July 1, 1877.

32       An act entitled “An Act to amend section 72 of an act entitled ‘An act in re-  
33   gard to practice in courts of record,’ approved February 22, as amended by an



34 act entitled An act to amend an act entitled An act in regard to practice in courts  
 35 of record, approved February 22, 1872,' approved June 2, 1877," approved May  
 36 24, 1879, in force July 1, 1879.

37 An act entitled "An act to amend sections seventy-one (71) and eighty-  
 38 eight (88) of an act entitled, 'An act to amend an act entitled an act in regard to  
 39 practice in courts of record, approved February 22, 1872,' approved June 2,  
 40 1877, in force July 1, 1877," approved June 3, 1879, in force July 1, 1879.

41 An act entitled "An act in relation to remaining causes on appeal of writ  
 42 of error," approved May 19, 1881, in force July 1, 1881.

43 An act entitled "An act to amend section eighty-three (83) of an act en-  
 44 titled 'An act in regard to practice in courts of record,' approved February 22,  
 45 1872," approved June 27, 1885, in force July 1, 1885.

46 An act entitled "An act in regard to the serving of processes on receivers of  
 47 corporations," approved June 3, 1887, in force July 1, 1887, and the act ap-  
 48 proved and in force May 3, 1889, amendatory thereof.

49 An act entitled "An act to provide for appeals from interlocutory orders  
 50 granting injunctions or appointing receivers," approved June 14, 1887, in force  
 51 July 1, 1887.

52 An act entitled "An act to enable parties to avoid delay in the administra-  
 53 tion of justice," approved June 17, 1887, in force July 1, 1887.

54 An act entitled "An act in relation to verdicts of juries in civil cases," in  
 55 force July 1, 1887.

56 An act entitled "An act to expedite the trial of certain suits at law in courts  
 57 of record," approved June 1, 1889, in force July 1, 1889.



58       An act entitled “An act in regard to the serving of processes on trustees  
59   operating, managing or controlling railroads,” approved and in force March 2,  
60   1893.

61       An act entitled “An act concerning the jurisdiction of circuit courts in  
62   cases instituted against life and fire insurance companies,” approved April 3,  
63   1873, in force July 1, 1873, and the act amendatory thereof, approved June 21,  
64   1895, in force July 1, 1895.

Amendments to House Bill No. 241, adopted by the House May 1, 1907.

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AMENDMENT NO. 1.

Amend Section thirty-seven (37) of House Bill No. 241 by adding after the word "elect," in the fourth line at the end of the section, the following:

"And it shall be lawful for any owner of real estate though not in possession of the same where the same is in possession of some person or persons claiming under him, as tenant or otherwise, to bring an action in trespass or case for any injury to his rights in such land, as owner, reversioner, remainderman or otherwise the same as if in possession of said land against the person or persons claiming under him or against a stranger committing trespass or injury to the rights of such person in said land: *Provided, however,* that nothing herein shall deprive the person in possession of any right of action he may have for injury to his possession. nor shall this action be extended to any case where a dispute in the title is the foundation of the action between the parties."

AMENDMENT NO. 2.

Amend House Bill 241 by striking out line 6 of Section 53, and inserting in lieu thereof the words "than fifty dollars nor less than five dollars."

**AMENDMENT NO. 3.**

Amend House Bill 241 by inserting in line 4 of Section 53 of the printed bill after the word "frivolous" the words "and vexatious."

**AMENDMENT NO. 4.**

Amend House Bill 241 by striking out of line 18 in Section 60, all after the word "same," in said section.

**AMENDMENT NO. 5.**

Amend House Bill 241 by striking out line 23 of Section 61 and inserting in lieu thereof the words "court may make such order as to the costs of the suit as may be equitable."

**AMENDMENT NO. 6.**

Amend House Bill 241 by inserting in Section 77, line 4, of the printed bill after the word "who," the word "so," and after the word "suffers" the word "such."

**AMENDMENT NO. 7.**

Amend House Bill 241 by inserting after the word "taken" the words "to the appellate or supreme court," in line 1 of Section 98 of said bill.

## AMENDMENT NO. 8.

Amend Section 125, line 6, by striking out the words "or of a municipal ordinance," and by inserting at the end of the line the following: "and in cases in which the validity of a municipal ordinance is involved and in which the trial judge shall certify that in his opinion the public interest so requires."

## AMENDMENT NO. 9.

Amend House Bill No. 241, Section 18, line 3 of the printed bill, by inserting between the words "pleading" and "allege" the following: "on oath, or by his affidavit, where pleading is not required."

## AMENDMENT NO. 10.

Amend House Bill No. 241, Section 95, of the printed bill, by striking out of said section all that part thereof in lines 3, 4 and 5, beginning with the word "but" in said line 3 and ending with the word "elapsed" in said line 5.

## AMENDMENT NO. 11.

Amend House Bill No. 241, Section 97, of the printed bill, by inserting in line 4 of said section, between the words "courts" and "in," the following: "and other courts from which appeals, and to which writs of error may be allowed by law."

**AMENDMENT NO. 12.**

Amend House Bill No. 241, Section 97, of the printed bill, by striking out in lines 5, 6, 7, 8 and 9 of said section, all that part of said lines beginning with the word "appeals" in said line 5, and ending with the word "estates" in said line 9.

**AMENDMENT NO. 13.**

Amend House Bill No. 241 by striking out all of Section 13 of the printed bill.

**AMENDMENT NO. 14.**

Amend Section 8 of House Bill No. 241, in line 10, of the printed bill, by striking out the words "in cases in chancery" and inserting in lieu thereof the words and figures following, to-wit: "is provided in sections twelve (12) and thirteen (13) of an act entitled, "An Act to regulate the practice in courts of chancery."

**AMENDMENT NO. 15.**

Amend House Bill No. 241 by striking out all of Section 54 of the printed bill.

**AMENDMENT NO. 16.**

Amend House Bill No. 241 by striking out all of Section No. 58 of the printed bill.



## AMENDMENT NO. 17.

Amend House Bill No. 241 by striking out all of Section No. 59 of the printed bill.

## AMENDMENT NO. 18.

Amend House Bill No. 241 by striking out all of Section No. 60 in the printed bill.

## AMENDMENT NO. 19.

Amend House Bill No. 241 by striking in Section 77 all after the words "final decision," in lines 3 and 4.

## AMENDMENT NO. 20.

Amend House Bill No. 241 by striking out of Section No. 103 of the printed bill all of line 3 and inserting in line 2 between the words "any" and "action" the word "criminal."

## AMENDMENT NO. 21.

Amend House Bill No. 241 in Section 124 of the printed bill, by striking out the word "one" before the word "year," in lines 1 and 6 of the printed bill, and by inserting in lieu thereof the word "three."

AMENDMENT NO. 23.

Amend House Bill No. 241 by striking out the word "may" in line 8 of Section 72 and substitute therefor the word "shall."

AMENDMENT NO. 24.

Amend House Bill No. 241 by adding thereto the following section to be known as Section 13: Section 13. "A co-partnership, the members of which are all no-residence but having a place or places of business in any county of this State in which suit may be instituted, may be sued by the usual and ordinary name which it has assumed and under which it is doing business and service of process may be had in such county upon such co-partnership by serving the same upon any agent of said co-partnership within this State."

AMENDMENT NO. 25.

Amend House Bill No. 241 by adding a new section to be known as Section 132 $\frac{1}{2}$ , as follows: "Section 132 $\frac{1}{2}$ . Any member of the General Assembly shall be exempt from the service of any court process during the session of the General Assembly."

- 1 Introduced by Mr. Reynolds, by request, February 7, 1907.
- 2 Read by title, ordered printed and referred to Committee on Manufacturers.

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## A BILL

For an act to regulate the sale of Paris green.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* That every lot or parcel of Paris green  
3 sold, or offered or exposed for sale, within the State shall have affixed thereto  
4 in a conspicuous place a printed label bearing the words "high grade, for insecti-  
5 cide purposes," or the words, "not for insecticide purposes," and every pack-  
6 age labeled as of high grade for insecticide purposes shall have affixed there-  
7 to a plainly printed statement clearly and truly certifying the name, brand,  
8 or trade-mark under which the article is sold, the name and address of the man-  
9 ufacturer, importer, or dealer, the net-weight of the package, and the percent-  
10 age of arsenic in combination with copper which the Paris green in said package  
11 contains. If the Paris green is sold in bulk for insecticide purposes, or if it is  
12 put up in packages and sold at retail to the purchaser, the agent or dealer shall  
13 furnish the purchaser with the label and statement described in this section, and  
14 it shall be unlawful to sell, or to offer or expose for sale as of high grade for in-

14 secticide purposes, any Paris green which does not contain arsenic in combina-  
16 tion with copper equivalent to at least fifty (50) per cent of arsenious trioxide,  
17 or which contains arsenic in water-soluble forms equivalent to more than three  
18 and one half ( $3\frac{1}{2}$ ) per cent of arsenious trioxide.

Sec. 2. Any manufacturer, importer, agent, or other person selling, offer-  
2 ing, or exposing for sale, any Paris green without the label required by section 1  
3 of this Act, or selling, offering, or exposing for sale as of high grade for insecti-  
4 cide purposes, any Paris green with out the printed statement required by sec-  
5 tion 1 of this Act, or with a label stating that the said Paris green contains sub-  
6 stantially a larger percentage of arsenic in combination with copper than is act-  
7 ually present therein, shall be deemed guilty of a misdemeanor, and upon con-  
8 viction thereof shall be fined not less than fifty dollars (\$50.00) nor more than  
9 two hundred dollars (\$200.00) for each offense.

Sec. 3. It shall be the duty of the State's Attorney of each county to pros-  
2 ecute the person or persons violating any provisions of this Act.

- 1 Introduced by Mr. Schaefer, February 7, 1907.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.
- 

## A BILL

For an Act appropriating to the University of Illinois the money granted in an Act of Congress, approved August 30, 1890, entitled, "An Act to apply a portion of the proceeds of the public lands to the more perfect endowment and support of the colleges for the benefit of agriculture and mechanic arts," established under the provisions of an Act of Congress approved July 2, 1862.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*  
2 *General Assembly:* That the sum or sums of money which may have accrued or  
3 may hereafter (before the first day of July, 1909) accrue to the State of Illinois,  
4 under the provisions of an Act of the Congress of the United States, approved  
5 August 30, 1890, entitled "An Act to apply a portion of the proceeds of public  
6 lands to the more perfect endowment and support of the colleges for the benefit of  
7 agriculture and the mechanic arts, established under the provisions of an Act of  
8 Congress, approved July 2, 1862," are hereby appropriated to the University of Il-  
9 linois, and whenever any portion of the said money shall be received by the State



10 Treasurer it shall immediately be due and payable into the treasury of said  
11 University.

Sec. 2. The Auditor of Public Accounts is hereby authorized and directed to  
2 draw his warrant on the Treasurer for the sums hereby appropriated, upon the  
3 order of the Chairman of the Board of Trustees of said University, countersigned  
4 by its secretary and with the corporate seal of said University.

- 1 Introduced by Mr. Schaefer, February 7, 1907.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

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## A BILL

For an act authorizing the University of Illinois to acquire the necessary buildings for the housing of its medical department.

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WHEREAS, The University of Illinois has conducted for some years the work of medical education and research in buildings owned by the College of Physicians and Surgeons of Chicago; and,

WHEREAS, It seems that in the interest of instruction and research in the field of medicine, the University should own its own buildings and equipment;

THEREFORE, *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That the sum of three hundred and  
3 eighty-six thousand dollars (\$386,000) is hereby appropriated to the trustees of  
4 the University for the purpose of erecting or acquiring suitable buildings and  
5 equipment for the conduct of its medical department:

6       *Provided*, That in case the trustees should see fit to purchase the property  
7 and equipment of the College of Physicians and Surgeons, they shall not pay  
8 for the same a sum to exceed the actual value of the tangible property of said in-  
9 stitution.

Sec. 2. That the Auditor of Public Accounts is hereby authorized and di-  
2 rected to draw his warrant on the Treasurer for the sums hereby appropriated,  
3 payable out of any money in the Treasury not otherwise appropriated, upon  
4 the order of the board of trustees of the University of Illinois, countersigned  
5 by its secretary and with the corporate seal of said University.

Introduced by Mr. Smejkal, by request, February 7, 1907.

Read by title, ordered printed and referred to Committee on Drainage and Water Ways.

## A BILL

for an act to amend sections four (4), eight (8), nine (9), eleven (11), twelve (12) and nineteen (19) of "An Act to create sanitary districts and remove obstructions in the Des Plaines and Illinois rivers," approved May 29, 1889; in force July 1, 1889, as amended by an act approved May 13, 1897, in force July 1, 1897, as amended by an act approved May 10, 1901, in force July 1, 1901, as amended by an act approved May 11, 1905, in force July 1, 1905; and adding section 19-A thereto.

SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* That section four (4), section eight  
3 (8), section nine (9), section eleven (11), section twelve (12) and  
4 section nineteen (19) of an act entitled "An Act to create sanitary districts and  
5 remove obstructions in the Des Plaines and Illinois rivers," approved May 29,

6 1889, in force July 1, 1889, as amended by an act approved May 10, 1901, in force  
7 July 1, 1901, as amended by an act approved May 11, 1905, in force July 1, 1905,  
8 be amended so as to read as hereinafter set forth, and that section 19-A be added  
9 thereto.

Sec. 4. The trustees elected in pursuance of the foregoing provisions of this  
2 Act shall constitute a board of trustees for the district by which they are elected,  
3 which board of trustees is hereby declared to be the corporate authorities of such  
4 sanitary district, and shall exercise all the powers and manage and control all the  
5 affairs and property of such district. Said board of trustees shall have the  
6 right to elect a clerk, treasurer, chief engineer and attorney for such municipality,  
7 who shall hold their respective offices during the pleasure of the board, who shall  
8 give bond as may be required by said board. Said board may prescribe the duties  
9 and fix the compensation of all the officers and employes of said sanitary district:  
10 *Provided, however,* That the salary of the president of said board of trustees  
11 shall in no case exceed the sum of four thousand dollars per annum and the sal-  
12 ary of the other members of the board shall not exceed three thousand dollars  
13 per annum. Said board of trustees shall have full power to pass all necessary  
14 ordinances, orders, rules, resolutions and regulations for the proper manage-  
15 ment and conduct of the business of said board of trustees and of said corpora-  
16 tion and for carrying into effect the object for which such sanitary district is  
17 formed. All ordinances, orders, rules, resolutions and regulations passed by  
18 said board of trustees shall, before they take effect, be approved by the president  
19 of said board of trustees, and if he shall approve thereof, he shall sign the same,  
20 and such as he shall not approve he shall return to the board of trustees with his  
21 objections thereto in writing at the next regular meeting of said board of trustees  
22 occurring after the passage thereof. Such veto may extend to any one or more



23 items or appropriations contained in any ordinance making an appropriation,  
 24 or to the entire ordinance; and in case the veto extends to a part of such ordi-  
 25 nance, the residue thereof shall take effect and be in force, but in case the presi-  
 26 dent of such board of trustees shall fail to return any ordinance, order, rule, res-  
 27 olution or regulation with his objections thereto by the time aforesaid, he shall  
 28 be deemed to have approved the same, and the same shall take effect according-  
 29 ly. Upon the return of any ordinance, order, rule, resolution or regulation by  
 30 the president, the vote by which the same was passed shall be reconsidered by  
 31 the board of trustees, and if upon such reconsideration two-thirds of all the  
 32 members elect shall agree by yeas and nays to pass the same it shall go into ef-  
 33 fect notwithstanding the president may refuse to approve thereof.

Sec. 8. Such sanitary district may acquire by purchase, condemnation or  
 2 otherwise any and all real and personal property, right of way and privilege,  
 3 either within or without its corporate limits, that may be required for its cor-  
 4 porate purposes: *Provided*, All moneys for the purchase and condemnation of  
 5 any property shall be paid before possession is taken, or any work done on the  
 6 premises damaged by the construction of such channel or outlet, and in case of  
 7 an appeal from the court *in which such condemnation proceedings shall be pend-*  
 8 *ing*, taken by either party, whereby the amount of damages is not finally deter-  
 9 mined, the amount of judgment in such court shall be deposited *with the county*  
 10 *treasurer of the county in which such judgment shall be rendered subject to the*  
 11 *payment of such damages on orders signed by such judge whenever the amount*  
 12 *of damages is finally determined; and during such time as the same shall not be*  
 13 *needed for such purposes, to lease the same; and when not longer required for*  
 14 *such purposes, to sell, convey, vacate, and release the same, subject to the reser-*  
 15 *vation contained in section 7 relating to water-powers and docks.*

Sec. 9. The corporation may borrow money for corporate purposes, and  
 2 may issue bonds therefor, but shall not become indebted in any manner, or for  
 3 any purpose, to an amount in the aggregate to exceed five (5) per centum of  
 4 the valuation of taxable property therein, to be ascertained by the last assess-  
 5 ment for State and county taxes previous to the incurring of such indebtedness.

Sec. 11. All contracts for work to be done by such municipality, the expense  
 2 of which will exceed five hundred dollars, shall be let to the lowest responsible  
 3 bidder therefor upon not less than ten days' public notice of the terms and con-  
 4 ditions upon which the contract is to be let having been given by publication in a  
 5 newspaper of general circulation published in said district, and the said board  
 6 shall have the power and authority to reject any and all bids and readvertise:  
 7 *Provided*, No person shall be employed on said work unless he be a citizen of the  
 8 United States, or has in good faith declared his intention to become such citizen.  
 9 In all cases where an alien, after filing his declaration of intention to become a  
 10 citizen of the United States, shall for the space of three months after he could law-  
 11 fully do so, fail to take out his final papers and complete his citizenship, such  
 12 failure shall be *prima facie* evidence that his declaration of intentions was not  
 13 made in good faith. And that eight hours shall constitute a day's work.

Sec. 12. The board of trustees may levy and collect taxes for corporate pur-  
 2 poses upon property within the territorial limits of such sanitary district, the  
 3 aggregate amount of which in any one year shall not exceed *one*  
 4 *per centum of the value of the taxable property within the corporate limits as*  
 5 *the same shall be assessed and equalized for the State and county taxes for the*  
 6 *year in which the levy is made.* Said board shall cause the amount to be raised  
 7 by taxation in each year, to be certified to the county clerk on or before the second

8 Tuesday in August as provided in section one hundred and twenty two of the  
 9 General Revenue law. All taxes so levied and certified shall be collected and en-  
 10 forced in the same manner and by the same officers as State and county taxes,  
 11 and shall be paid over by the officer collecting the same to the treasurer of the  
 12 sanitary district, in the manner and at the time provided by the General Revenue  
 13 law: *Provided, That no part of the taxes hereby authorized shall be used by such*  
 14 *drainage district for the construction of permanent fixed, immovable bridges*  
 15 *across any channel constructed under the provisions of this Act: And Provided*  
 16 *further, That all bridges built across such channel shall not necessarily interfere*  
 17 *with or obstruct the navigation of such channel, when the same becomes a nav-*  
 18 *igable stream, as provided in section 24 of this Act, but such bridges shall be so*  
 19 *constructed that they can be raised, swung, or moved out of the way of vessels,*  
 20 *tugs, boats, or other water craft navigating such channel: And Provided further,*  
 21 *That nothing in this Act shall be so construed as to compel said district to main-*  
 22 *tain or operate said bridges, as movable bridges, for a period of ten years from*  
 23 *and after the time when the water has been turned into said channel pursuant*  
 24 *to law, unless the needs of general navigation on the Des Plaines and Illinois*  
 25 *rivers, when connected by said channel, sooner require it.*

Sec. 19. Every sanitary district shall be liable for all damages to real estate  
 2 within or without such district which shall be overflowed or otherwise damaged  
 3 by reason of the construction, enlargement or use of any channel, ditch, drain,  
 4 outlet or other improvement under the provisions of this Act; and actions to re-  
 5 cover such damages may be brought in the county where such real estate is situ-  
 6 ate, or in the county where such sanitary district is located, at the option of the  
 7 party claiming to be injured. And in case judgment is rendered against such dis-  
 8 trict for damages, the plaintiff shall also recover his *reasonable attorneys' fees*

9 *not exceeding ten per cent of the amount of such judgment, to be taxed as costs*  
 10 *of suit: Provided, however, It shall appear on the hearing of plaintiff's motion*  
 11 *to tax such attorney's fees, that the plaintiff notified the trustees of such district,*  
 12 *in writing, at least 60 days before suit was commenced by leaving a copy of such*  
 13 *notice with some one of the trustees of such district, stating that he claims dam-*  
 14 *ages to the amount of .....dollars by reason of (here insert the cause*  
 15 *of damage) and intends to sue for the same: And, Provided further, That the*  
 16 *amount recovered shall be larger than the amount offered by said trustees (if*  
 17 *anything) as a compromise for damages sustained.*

Sec. 19-A. No person shall be an incompetent judge, justice or juror by  
 2 reason of his being an inhabitant or freeholder in any sanitary district formed  
 3 under the provisions hereof in any action in which such sanitary district may be  
 4 a party in interest.



AMENDMENTS TO

15th Assem.

HOUSE—No. 245

Apr. 1907

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Amendments to House Bill No. 245, adopted by the House April 22, 1907.

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AMENDMENT NO. 1.

Amend the title to House Bill No. 245, by striking out the words and figures "as amended by an act approved May 11, 1905, in force July 1, 1905," in lines 5 and 6, in the title of said bill as printed.

AMENDMENT NO. 2.

Amend Section 1 of House Bill No. 245, by striking out the words and figures "as amended by an act approved May 11, 1905, in force July 1, 1905," in line 7, of the said Section 1, as printed.

AMENDMENT NO. 3.

Amend House Bill No. 245, by striking out the words "not exceeding ten per cent of the amount of such judgment," in line 9, in Section 19, of said bill, as printed.



## AMENDMENT NO. 4.

Amend House Bill No. 245, by striking out the word "ten" in line 22, of Section 12, of said bill as printed, and inserting in lieu thereof the word "nine."

- 1 Introduced by Mr. Stevenson, February 7, 1907.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an act making an appropriation for the ordinary expenses of the Southern Illinois Normal University.

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
*represented in the General Assembly:* That there be and is hereby appropriated  
annually for the ordinary expenses of the Southern Illinois Normal University  
the sum of fifty-five thousand dollars (\$55,000), or so much thereof as may be nec-  
essary, out of any money in the treasury not otherwise appropriated, for the  
following purposes, viz:

Salaries of teachers, one-half interest on college and seminary fund.	\$ 6,493.54
Salaries of teachers, in addition to above.	33,506.46
Salaries of engineers, firemen and janitors	4,200.00
Care and improvements of grounds.	1,800.00
Fuel and lights	2,500.00
Library books, magazines and binding	1,200.00

13	Apparatus and laboratory supplies.....	1,800.00
14	Printing and advertising.....'''.....	1,500.00
15	Museum material .....	500.00
16	Repairs .....	1,000.00
17	Trustees' expenses .....	500.00
		-----
	Total .....	\$55,000.00

Sec. 2. The Auditor of Public accounts is hereby authorized and required  
 2 to draw his warrants on the State Treasurer for the several amounts herein  
 3 specified when requisition therefor is made in accordance with existing law.

- 1 Introduced by Mr. Sullivan, February 7, 1907.  
2 Read by title, ordered printed and referred to Committee on Insurance.

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## A BILL

For an act relating to the business of Fire Insurance.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That hereafter every foreign or domes-  
3 tic fire insurance company doing business in this State before writing a policy  
4 of insurance upon any property within this State shall first make an inventory  
5 and ascertain the fair value of all the property proposed to be insured, and such  
6 insurance company shall not write a policy for more than the amount of the as-  
7 certained value of such inventoried property, and the insured shall not be re-  
8 quired to pay a premium upon more than the ascertained value of such prop-  
9 erty. Such inventory may be added to or taken from at any time by giving  
10 notice to the company of the fact of such desire to make such deduction from or  
11 addition to such inventory and the nature and value of such property. And  
12 such insurance company shall be liable for the full value thus ascertained of all

- 13 property lost or damaged by fire and included in such inventory, but such com-  
14 pany may recoup from such loss the amount obtained from any salvage of  
15 such damaged property.



Introduced by Mr. Troyer, February 7, 1907.

Read by title, ordered printed and referred to Committee on Insurance.

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## A BILL

For an act to amend section 16 of an act entitled "An act to organize and regulate the business of life insurance," approved March 26, 1869, in force July 1, 1869.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 16 of an act entitled "An act to organize and regulate the business of life insurance," approved March 26, 1869, in force July 1, 1869, be and the same is hereby amended to read as follows:

Sec. 16. Every life insurance company incorporated by or organized under the laws of any other state of the United States or of any foreign government, before being authorized to transact business in this State shall deposit with the Insurance Superintendent in his official capacity, securities of the amount and character required of similar companies incorporated under the laws of this State, or in lieu thereof shall furnish a certificate of deposit from the State offi-

7 cial having custody of the securities showing to the satisfaction of said Insur-  
8 ance Superintendent that the corporation has the amount of funds required by  
9 this Act to be deposited by companies incorporated in this State invested in se-  
10 curities deposited with the Superintendent of the Insurance Department, State  
11 Treasurer or other proper official of the state in which it is incorporated, if in-  
12 corporated in the United States, or if a foreign corporation, then in some one of  
13 the states of the United States, and that the same are held for the benefit and se-  
14 curity of the policyholders of such corporation in the United States, which  
15 certificate shall be renewed annually. The company depositing such securities  
16 as aforesaid shall have the right to receive the income thereof and at any time  
17 to exchange the same or any part thereof for other securities to be approved by  
18 the Insurance Superintendent.

1 Introduced by Mr. Walsh, February 7, 1907.

2 Read by title, ordered printed and referred to Committee on Corporations.

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## A BILL

For an act relating to the taxing of telegraph, telephone and electric light and power companies.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That all telegraph, telephone and electric  
3 light or electric power poles or shafts in this State whether on the right of way  
4 of any corporation or any public street or thoroughfare, or on any private or  
5 public property, owned or leased by any corporation or individual, shall pay as  
6 an annual tax on every such telegraph, telephone, electric light or electric power  
7 pole or shaft the sum of one dollar on each of every such pole outside the cor-  
8 porate limits of any city, village or corporate town in the State of Illinois, and  
9 shall pay the sum of two dollars on each of every such pole or shaft within the  
10 corporate limits of any city, village or corporate town in the State of Illinois.

Sec. 2. That whenever ten per cent of the householders of any street, ave-  
2 nue or other thoroughfare shall file a petition in writing for the removal of any

3 telegraph, telephone or electric light or electric power pole or shaft it shall be the  
4 duty of the officers of any such city, village or corporate town to cause said poles  
5 or shaft to be removed in the same manner as any other public nuisance may be  
6 removed or abated.

Sec. 3. All acts or parts of acts in conflict herewith are hereby repealed.

- 1 Introduced by Mr. Clapsaddle, February 13, 1907.
- 2 Read by title, ordered printed and referred to Committee on Mines and Mining.

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## A BILL

For an act to amend section 21 of an act entitled "An Act to revise the law in relation to coal mines and subjects relating thereto, and provide for the health and safety of persons employed therein, approved April 18, 1899, in force July 1, 1899."

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That section 21 of an act to revise the laws  
3 in relation to coal mines and subjects relating thereto, and providing for the  
4 health and safety of persons employed therein, approved April 18, 1899, in  
5 force July 1, 1899, be and the same is hereby amended so as to read as follows:

Sec. 21. ENGINE PLANES.—(a) On all single track hauling roads wherever  
2 hauling is done by machinery and on all gravity or inclined planes, in mines, upon  
3 which the persons employed in the mine must use while performing their work or  
4 travel on foot to and from their work, place of refuge must be cut in the side  
5 wall not less than three feet in depth and four feet wide and five feet in height,



6 and not more than twenty yards apart, unless there is a clear space of at least  
7 three feet between the side of the car and the side of the road, which space shall be  
8 deemed sufficient for the safe passage of men.

9 On every such road which is more than 100 feet in length, a code of signals  
10 shall be established between the hauling engineer and all points on the road.

11 A conspicuous light must be carried on the front car of every trip or train of  
12 pit cars moved by machinery, except when such trip is on an inclined plane.

13 MULE ROADS. (b) On all hauling roads or gangways on which the hauling  
14 is done by draft animals, or gangways whereon men are obliged to be in the per-  
15 formance of their duties or have to pass to and from their work, places of re-  
16 fuge must be cut in the side-wall at least two and a half feet deep, four feet wide  
17 and five feet in height, and not more than twenty yards apart; but such places  
18 shall not be required in entries from which rooms are driven at regular intervals  
19 not exceeding twenty yards, and wherever there is a clear space of two and one-  
20 half feet between the car and the rib, such space shall be deemed sufficient for  
21 the safe passage of men.

22 All places of refuge must be kept clear of obstructions and no material shall  
23 be stored nor be allowed to accumulate therein.

Amendment to House Bill No. 250, adopted by the House April 23, 1907.

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AMENDMENT NO. 1.

Amend House Bill No. 250 by inserting in line ten, after the word "road," the words "except where hauling is done by motors," and in line 11 by striking out the word "car," all in Section 21 of said bill.



1 Introduced by Mr. Donoghue, February 13, 1907.

2 Read by title, ordered printed and referred to Committee on Judiciary.

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## A BILL

For an act to restrain all trusts and directions in deeds or wills, whereby the profits  
or produce of real or personal estate shall be accumulated, and the beneficial en-  
joyment thereof postponed beyond the time therein limited.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That no person or persons shall, after  
3 the passing of this Act, by any deed or deeds, will, codicil or otherwise howso-  
4 ever, executed after the passing of this Act, settle or dispose of any real or per-  
5 sonal property, so and in such manner, either expressly or by implication, that  
6 the rents, issues, profits or produce thereof shall be wholly or partially accumu-  
7 lated; for any longer term than the life or lives of any such grantor or grantors,  
8 settlor or settlors; or the term of twenty-one years from the death of any such  
9 grantor, settlor, deviser or testator; or during the minority or respective minori-  
10 ties of any person or persons who shall be living, or in *ventre sa mere* at the

11 time of the death of such grantor, deviser or testator; or during the minority  
12 or respective minorities only of any person or persons who, under the uses or  
13 trusts of the deed, will or other assurances directing such accumulations, would,  
14 for the time being, if of full age, be entitled unto the rents, issues and profits, or  
15 the interest, dividends or annual produce so directed to be accumulated; and in  
16 every case where any accumulation shall be directed otherwise than as aforesaid,  
17 such direction shall be null and void, and the rents, issues, profits and produce of  
18 such property so directed to be accumulated, shall, so long as the same shall  
19 be directed to be accumulated contrary to the provisions of this Act, go to and  
20 be received by such person or persons as would have been entitled thereto if  
21 such accumulation had not been directed: *Provided always, and be it enacted,*  
22 That nothing in this Act contained shall extend to any provision for payment of  
23 debts of any grantor, settlor or deviser, or other person or persons, or to any  
24 provision for raising portions for any child or children of any person taking  
25 any interest under any such conveyance, settlement or device, or to any direction  
26 touching the produce of timber or wood upon any lands or tenements; but that  
27 all such provisions and directions shall and may be made and given as if this Act  
28 had not passed.



AMENDMENTS TO

45th Assem.

HOUSE—No. 251

Apr. 1907

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Amendments to House bill No. 251, adopted by the House April 5, 1907.

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AMENDMENT NO. 1.

Amend House Bill No. 251 by striking out in lines 2 and 3 of printed bill the words “after the passing of this act” and insert in lieu thereof, the following: “after this act goes into effect.”

AMENDMENT NO. 2.

Amend House Bill No. 251 by striking out in line 4 of the printed bill the following: “executed after the passing of this act” and insert the following: “executed after this act goes into effect.”

AMENDMENT NO. 3.

Amend House Bill No. 251 by striking out all that follows after the word “directed” in line 21 of the printed bill.

## AMENDMENT NO. 4.

Amend House Bill No. 251 by adding after the word "or" in line 8 of printed Bill the following: "for any longer than."

## AMENDMENT NO. 5.

Amend House Bill No. 251 by adding after the second word "or" in line 9 the following: "for any longer than."

## AMENDMENT NO. 6.

Amend House Bill No. 251 by adding after the second word "or" in line 11 of the printed bill the following: "for any longer than."

- 1 Introduced by Mr. Church, by request, February 13, 1907.
- 2 Read by title, ordered printed and referred to Committee on Municipal Courts.

## A BILL

For an act to amend an act entitled "An Act in relation to a Municipal Court in the City of Chicago," approved May 18, 1905.

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That the act entitled "An Act in relation  
3 to a Municipal Court in the City of Chicago," approved May 18, 1905, except-  
4 ing sections sixty-six (66) and sixty-seven (67) thereof, be and the same is  
5 hereby amended so as to read as follows:

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That there shall be established in and for  
3 the city of Chicago a municipal court which shall be a court of record and shall  
4 be styled "The Municipal Court of Chicago," hereinafter designated and re-  
5 ferred to as the Municipal Court, and the jurisdiction of which shall be exer-

6 cised in the manner hereinafter prescribed by branch courts, each of which  
 7 shall exercise all the powers in this Act declared to be vested in the Municipal  
 8 Court.

Sec. 2. That said Municipal Court shall have jurisdiction within the city  
 2 of Chicago in the following cases:

3 *First.* Cases to be designated and hereinafter referred to as cases of the  
 4 first class, which shall include (a) all actions on contracts, express or implied,  
 5 when the amount claimed by the plaintiff, exclusive of costs, exceeds one thou-  
 6 sand dollars (\$1,000); (b) all actions for the recovery of personal property  
 7 when the value of the property sought to be recovered as claimed by the plain-  
 8 tiff exceeds one thousand dollars (\$1,000); and (c) all actions for the recovery  
 9 of damages for the conversion of personal property, and actions for the recov-  
 10 ery of damages for injuries to personal property, when the amount of damages  
 11 sought to be recovered, as claimed by the plaintiff, exclusive of costs, exceeds  
 12 one thousand dollars (\$1,000).

13 *Second.* Cases to be designated and hereinafter referred to as cases of  
 14 the second class, which shall include all suits of every kind and nature, whether  
 15 civil or criminal, or whether at law or in equity, which may be transferred to  
 16 it, by a change of venue or otherwise, by the Circuit Court of Cook county, the  
 17 Superior Court of Cook county, the Criminal Court of Cook county, or any oth-  
 18 er court of competent jurisdiction, for trial and disposition.

19 *Third.* Cases to be designated and hereinafter referred to as cases of the  
 20 third class, which shall include all criminal cases in which the punishment is  
 21 by fine or imprisonment otherwise than in the penitentiary.

22      *Fourth.* Cases to be designated and hereinafter referred to as cases of  
 23 the fourth class, which shall include (a) all civil actions, *quasi criminal ac-*  
 24 *tions excepted*, for the recovery of money only, when the amount claimed by the  
 25 plaintiff, exclusive of costs, does not exceed one thousand dollars (\$1,000),  
 26 the amount in any action on a bond to be determined by the amount actually  
 27 sought to be recovered and not by the penalty of the bond; (b) all actions for  
 28 the recovery of personal property when the value of the property sought to be  
 29 recovered does not exceed one thousand dollars (\$1,000); (c) all *actions of for-*  
 30 *cible detainer*, and (d) all other actions of which justices of the peace are now  
 31 given jurisdiction by law and which are not otherwise provided for in this Act.  
 32 In any action of the fourth class for the recovery of money only judgment may  
 33 be rendered for over one thousand dollars (\$1,000) where the excess over one  
 34 thousand dollars (\$1,000) shall consist of interest or damages or costs accrued  
 35 after the commencement of such action.

36      *Fifth.* Cases to be designated and hereinafter referred to as cases of the  
 37 fifth class, which shall include all quasi criminal actions for the recovery of  
 38 fines or penalties.

39      *Sixth.* Cases to be designated and hereinafter referred to as cases of the  
 40 sixth class, which shall include (a) all proceedings for the prevention of the  
 41 commission of crimes; (b) all proceedings for the arrest, examination, com-  
 42 mitment and bail of persons charged with criminal offenses; (c) all proceed-  
 43 ings pertaining to searches and seizures of personal property by means of  
 44 search warrants; and (d) bastardy cases.

Sec. 3. That for the purposes of said Municipal Court the city of Chicago  
 2 shall be divided into districts, which, until otherwise provided, shall be five in  
 3 number and their territorial limits shall be as follows:



4        Of the First district the territorial limits shall be the territory bounded  
 5 on the east by Lake Michigan, on the north by the city limits, on the west by  
 6 the center line of Western avenue from the city limits on the north to the cen-  
 7 ter line of Fifty-fifth street, thence on the south by the center line of Fifty-fifth  
 8 street to the center line of State street, thence on the west by the center line of  
 9 State street to the center line of Sixty-third street, thence on the south by the  
 10 center line of Sixty-third street to the center line of Cottage Grove avenue,  
 11 thence on the west by the center line of Cottage Grove avenue to the center  
 12 line of Seventy-first street, and thence on the south by the center line of Sev-  
 13 enty-first street to Lake Michigan, and such territory shall be known as the  
 14 First District.

15        Of the Second District the territorial limits shall be the territory bounded  
 16 on the south by the city limits, on the east by the city limits and Lake Michi-  
 17 gan, on the north by the center line of Seventy-first street, and on the west by  
 18 the center line of Cottage Grove avenue, and such territory shall be known as  
 19 the Second District.

20        Of the Third District the territorial limits shall be the territory bounded  
 21 on the west and south by the city limits, on the east by the center line of Cot-  
 22 tage Grove avenue from the city limits on the south to the center line of Sixty-  
 23 third street, thence on the north by the center line of Sixty-third street to the  
 24 center line of State street, thence on the east by the center line of State street  
 25 to the center line of Fifty-fifth street, thence on the north by the center line of  
 26 Fifty-fifth street to the city limits on the west, and such territory shall be  
 27 known as the Third District.

28        Of the Fourth District the territorial limits shall be the territory bounded

29 on the south by the center line of Fifty-fifth street, on the east by the center line  
30 of Western avenue, on the north by the center line of Lake street and on the  
31 west by the city limits, and such territory shall be known as the Fourth Dis-  
32 trict.

33 Of the Fifth District the territorial limits shall be the territory bounded  
34 on the south by the center line of Lake street, on the east by the center line of  
35 Western avenue, on the north and west by the city limits, and such territory  
36 shall be known as the Fifth District.

37 The number and boundaries of the districts may be changed, from time  
38 to time, by orders signed by a majority of the judges of the Municipal Court,  
39 and spread upon the records thereof, which orders shall be published for three  
40 successive weeks, once in each week, in some newspaper of general circulation  
41 in the city of Chicago, and which shall take effect respectively within thirty  
42 days after the last publication thereof: *Provided, however,* No such change in  
43 the number or boundaries of districts shall become effective unless the order  
44 therefor shall have been approved by the City Council of the city of Chicago.  
45 As many branch courts shall be held in each district as may be determined by  
46 the chief justice of said Municipal Court to be necessary for the prompt and  
47 proper disposition of the business of said Court: *Provided, however,* That at  
48 least one branch court shall be held in each district. Such branch courts may  
49 be given such designation by numbers or otherwise as may be determined by  
50 the chief justice.

Sec. 4. That said branch courts shall be held at such places in said city  
2 of Chicago as may be provided for that purpose by the corporate authorities  
3 thereof. If no place be provided by the corporate authorities of said city for

4 the holding of any branch court, or if the place so provided become unfit, said  
 5 branch court may, by order signed by the majority of the judges of said Muni-  
 6 cipal Court, and entered upon the records of said branch court, adjourn to or  
 7 convene at a suitable place for holding said branch court, procured for that  
 8 purpose by said judges, within the district in which the same is located and at  
 9 such place may hold said branch court, until a suitable place therefor be fur-  
 10 nished by said corporate authorities.

Sec. 5. That said court shall have seals for each district and may, from  
 2 time to time, as may be necessary, renew the same. The expense of said seal  
 3 and renewing the same shall be paid by the city of Chicago. All blanks, books,  
 4 papers, stationery and furniture necessary to the keeping of the records of the  
 5 proceedings of such Municipal Court, and the transaction of the business there-  
 6 of, shall be furnished the officers of such court at the expense of the city. All  
 7 other expenditures on account of such court which may be authorized by the  
 8 city council, and which are not specifically mentioned in this Act, shall be paid  
 9 out of the city treasury.

Sec. 6. That said Municipal Court shall consist of twenty-eight (28)  
 2 judges, one of whom shall be chief justice and the remaining twenty-seven  
 3 (27) of whom shall be associate judges. Each branch court shall be presided  
 4 over by a single judge of the Municipal Court. The chief justice, in addition to  
 5 the exercise of all the other powers of a judge of said court, shall have the gen-  
 6 eral superintendence of the business of said court; he shall preside at all meet-  
 7 ings of the judges, and he shall assign the associate judges to duty in the  
 8 branch courts, from time to time, as he may deem necessary for the prompt  
 9 disposition of the business thereof, and it shall be the duty of each associate

judge to attend and serve at any branch court to which he may be so assigned, but the chief justice shall only assign such number of judges to the trial and disposition of cases of the first class and cases of the second class mentioned in section two (2) of this Act, from time to time, as may not be needed for the prompt disposition of the other business of the court. The chief justice shall also superintend the preparation of the calendars of cases for trial in said court and shall make such classification and distribution of the same upon different calendars as he shall deem proper and expedient. Each judge shall be entitled to vacations, which shall not exceed thirty-six days in all in any one year and which shall be taken at such times as may be determined by the chief justice. The chief justice must give his attention faithfully to the discharge of the duties especially pertaining to his office and to the performance of such additional judicial work as he may be able to perform. He may appoint such number of assistants, not exceeding six, as he may deem necessary, whose salaries shall be fixed by the city council and whose duties shall consist in the performance of such work as may be required of them by the chief justice, and who shall have power to administer oaths, and to enter such interlocutory orders in pending cases as they may be authorized to enter by rules to be adopted by the judges. Each associate judge must perform his share of the labors and duties appertaining to the office. At least one associate judge must be in attendance in one branch court in each district, at least five hours of each day, except Saturday, Sunday, a public holiday, or a day upon which the inhabitants of the city of Chicago generally refrain from business, and each associate judge, while in the court room or in chambers, and not actually engaged in the performance of other official duties, must act upon any application for his official action, properly made to him. It shall be the duty of the chief jus-



36 tice and the associate judges to meet together at least once in each month, excepting  
 37 the month of August, in each year, at such hour and place as may be designat-  
 38 ed by the chief justice, and at such other times as may be required by the chief  
 39 justice, for the consideration of such matters pertaining to the administration  
 40 of justice in said court as may be brought before them. At such meetings they  
 41 shall receive and investigate, or cause to be investigated, all complaints pre-  
 42 sented to them pertaining to the said court, and to the officers thereof, and  
 43 shall take such steps as they may deem necessary or proper with respect there-  
 44 to, and they shall have power and it shall be their duty to adopt or cause to be  
 45 adopted all such rules and regulations for the proper administration of justice  
 46 in said court as to them may seem expedient. The salaries of the chief justice  
 47 and the associate judges shall be fixed in the annual appropriation ordinance  
 48 by the city council: *Provided, however,* That the salary of the chief justice shall  
 49 not be less than seven thousand five hundred dollars (\$7,500) per annum and  
 50 that the salary of an associate judge shall not be less than six thousand dol-  
 51 lars (\$6,000) per annum, and that the salary of no judge shall exceed the salary  
 52 and compensation fixed from time to time by law for a judge of the Circuit  
 53 Court of Cook county. Such salaries shall be payable in monthly installments  
 54 out of the city treasury.

Sec. 7. That the chief justice and the associate judges of the Muni-  
 2 pal Court provided for in the preceding section shall be elected on the first Tues-  
 3 day after the first Monday of November, A. D. 1906; that the chief justice shall  
 4 hold his office for the term of six (6) years and until his successor shall be  
 5 elected and qualified; that of the said associate judges so to be elected, nine  
 6 (9) shall be elected for the term of two (2) years, nine (9) for the term of four (4)  
 7 years and nine (9) for the term of six (6) years and until their respective succes-



8 sors shall be elected and qualified, and on the first Tuesday after the first Monday  
 9 of November, A. D. 1908, and on the first Tuesday after the first Monday of No-  
 10 vember, every sixth year thereafter, and on the first Tuesday after the first Mon-  
 11 day of November, A. D. 1910, and on the first Tuesday after the first Monday of  
 12 November every sixth year thereafter there shall be elected nine (9) associate  
 13 judges of said Municipal Court and on the first Tuesday after the first Monday of  
 14 November, A. D. 1912, and every sixth year thereafter there shall be elected a chief  
 15 justice and nine (9) associate judges of said Municipal Court as successors in office  
 16 of the chief justice and associate judges of the Municipal Court by this Act re-  
 17 quired to be elected, each of whom shall hold his office for the term of six (6) years  
 18 and until his successor shall be elected and qualified. The judges so required to be  
 19 elected shall enter upon the discharge of their duties on the first Monday of Decem-  
 20 ber following their election. Vacancies in the office of chief justice or associ-  
 21 ate judge of the Municipal Court shall be filled by election at the regular mu-  
 22 nicipal, judicial or other general election which shall occur next after a  
 23 period of thirty (30) days from the time such vacancies respectively occur, but  
 24 where the unexpired term does not exceed one year, the vacancy shall be filled  
 25 by appointment by the Governor. Whenever a vacancy occurs in the office  
 26 of chief justice, or whenever the chief justice shall be absent from the City  
 27 of Chicago, or incapacitated from acting, the associate judges shall select one  
 28 of their number to act as chief justice until such vacancies shall be filled by elec-  
 29 tion or appointment, as above provided for, or until the return of the chief jus-  
 30 tice, or until his incapacity ceases.

Sec. 8. That no person shall be eligible to the office of chief justice or of  
 2 associate judge of the Municipal Court unless he shall be at least thirty years of

age and a citizen of the United States, nor unless he shall have resided in the County of Cook and been there engaged, either in active practice as an attorney and counsellor at law or in the discharge of the duties of a judicial office, five years next preceding his election, or in one of said occupations during a portion of said time and in the other the remaining portion thereof, and shall, at the time of his election, be a resident of the city of Chicago.

Sec. 9. That every chief justice and associate judge of such Municipal Court, before he enters upon the duties of his office, shall take and subscribe the following oath or affirmation:

I do solemnly swear (or affirm, as the case may) that I will support the Constitution of the United States and the Constitution of the State of Illinois, and that I will faithfully discharge the duties of the office of chief justice (or associate judge) of the Municipal Court of Chicago according to the best of my ability.

Said oath shall be filed in the office of the Secretary of State.

Sec. 10. That whenever two-thirds in number of the judges of the Municipal Court shall transmit to the city council of the city of Chicago a certificate signed by them that in the opinion of said judges the business of said Municipal Court is such as to require an increase in the number of the associate judges of said Municipal Court, said city council may, by ordinance or ordinances, provide for an increase of not more than nine in the number of said judges, who shall be elected, one-third for two years, one-third for four years and one-third for six years, at the next ensuing general election. The judges elected in accordance with such ordinance or ordinances shall hold their offices for the said respective periods for which they shall have been

11 elected and until their successors shall be elected and qualified, and every 1  
 12 years thereafter their respective successors shall be elected for the full term  
 13 six years. But after the number of associate judges has been increased to thirty  
 14 six (36) no subsequent increase thereof shall be made by the city council.

Sec. 11. That the judges of said Municipal Court may interchange with  
 2 judges of other city courts and with county judges, and said respective judges  
 3 may hold court for each other and perform each other's duties when they find  
 4 it necessary or convenient, and any judge of a circuit court, or of the Superior  
 5 Court of Cook county, when he finds it convenient so to do, may, at the re  
 6 quest of the chief justice of the Municipal Court, hold a branch of said Muni  
 7 cipal Court and exercise all the powers and perform all of the duties of a judg  
 8 thereof.

Sec. 12. That there shall be a clerk of said Municipal Court whose term of  
 2 office shall be six years and until his successor shall be elected and qualified  
 3 and who shall be elected on the first Tuesday after the first Monday of Novem  
 4 ber, A. D. 1906, and every six years thereafter. He shall perform with respect  
 5 to said Municipal Court the duties usually performed by clerks of courts of  
 6 record. He shall give his personal attention to the performance of the duties  
 7 of his office. He shall maintain an office in each district, and each office  
 8 shall be kept open for the transaction of business from half-past eight  
 9 o'clock A. M. to half-past five o'clock P. M. of each working day during  
 10 the year, and during such other hours as the chief justice of the Municipal Court  
 11 may direct. Until otherwise provided by the rules which may be adopted under  
 12 the provisions of this Act the powers, duties and liabilities, the oath of office  
 13 and the bond and conditions thereof, of such clerk shall be the same, as near

14 as may be, as those prescribed by law for clerks of courts by the  
 15 act entitled, "An Act to revise the law in relation to clerks of courts," ap-  
 16 proved March 25, 1874, and in force July 1, 1874. His salary shall be five  
 17 thousand dollars (\$5,000) per annum and shall be paid in monthly installments  
 18 out of the city treasury. He shall be commissioned by the Governor. In case  
 19 of the absence of the clerk or of his inability to act in any case pending in said  
 20 court by reason of his interest in said case or otherwise, the chief justice of  
 21 the Municipal Court may designate any deputy clerk to act as clerk *pro tem*  
 22 until such absence or inability ceases: When a vacancy occurs in the office of  
 23 clerk and the unexpired term exceeds one year, the judges shall appoint a  
 24 clerk *pro tempore*, who shall qualify by giving bond and taking the oath as re-  
 25 quired by law of the clerk, and thereupon such appointee shall perform all the  
 26 duties required of a duly elected clerk of said court, and shall receive a like  
 27 salary, and shall hold such office until some person is elected and qualified ac-  
 28 cording to law to fill such vacancy. Whenever any such vacancy occurs, the  
 29 chief justice shall forthwith notify the Governor thereof, who, upon receiving  
 30 such notice, shall, as soon thereafter as may be practicable, issue a writ of el-  
 31 ection, as in other cases.

Sec. 13. That said clerk shall appoint such number of deputies as may be  
 2 determined, from time to time, by a majority of the judges of the Municipal  
 3 Court by orders signed by them and spread upon the records of said court.  
 4 The salaries of deputy clerks shall be fixed, from time to time, by orders signed  
 5 by a majority of the judges of the Municipal Court and spread upon the records  
 6 of the court, and shall be payable out of the city treasury in monthly install-  
 7 ments: *Provided, however,* That the salary of the chief deputy clerk shall not ex-  
 8 ceed two thousand five hundred dollars (\$2,500) per annum, and that the salary



9 of no other deputy clerk shall exceed eighteen hundred dollars (\$1,800) per an-  
 10 num, unless the city council shall, by ordinance, so authorize. Such number  
 11 of deputy clerks so appointed as the judges may deem necessary shall be com-  
 12 petent shorthand reporters, capable of correctly taking down stenographically  
 13 and transcribing the proceedings of courts, and shall perform such duties with  
 14 respect to attending upon and taking down stenographic reports of the proceed-  
 15 ings of said court as may be required by the judges, and for making and fur-  
 16 nishing transcripts of their stenographic reports aforesaid said deputy clerks  
 17 shall be allowed to make such reasonable charge, not exceeding fifteen cents  
 18 per hundred words, to the parties to whom such transcripts are furnished, as  
 19 may be determined by the judges, and the judges may allow said deputy clerks  
 20 to retain, as additional compensation for their services such proportion as the  
 21 judges may deem reasonable of the charges so collected, the balance of such  
 22 charges to be accounted for by such deputy clerks in the same manner as costs  
 23 collected by them. Such deputy clerks shall take the same oath or affirmation  
 24 required of the clerk of said Municipal Court and shall give bonds to be ap-  
 25 proved by the chief justice of said court, conditioned, as near as may be, like the  
 26 bond required of the clerk. Any deputy clerk shall be subject to removal at any  
 27 time by an order signed by a majority of the judges of the Municipal Court and  
 28 spread upon the records of said court. The number of deputy clerks may be re-  
 29 duced at any time by an order signed by a majority of the judges of said Muni-  
 30 cipal Court and spread upon the records of said court.

Sec. 14. That there shall be a bailiff of said Municipal Court whose term of  
 2 office shall be six (6) years and until his successor shall be elected and quali-  
 3 fied and who shall be elected on the first Tuesday after the first Monday of  
 4 November, A. D. 1906, and every six years thereafter. He shall perform with



5 respect to said Municipal Court the duties usually performed by sheriffs in  
6 respect to attendance upon, and service and execution of the process, and  
7 obedience of the lawful orders and directions of, a circuit court. He shall  
8 give his personal attention to the performance of the duties of his office. He  
9 shall maintain an office in each district and each office shall be kept open  
10 in each district for the transaction of business from half-past eight o'clock  
11 A. M. to half-past five o'clock P. M. of each working day during the year,  
12 and during such other hours as the chief justice of the Municipal Court may  
13 direct. Until otherwise provided by the rules which may be adopted under  
14 the provisions of this Act the powers, duties and liabilities, the oath of office,  
15 and the bonds and conditions thereof, of such bailiff shall be the same, as  
16 near as may be, as those prescribed by law for sheriffs with respect to at-  
17 tendance upon, and service and execution of the process, and obedience of the  
18 lawful orders and directions of, a circuit court. His salary shall be five thou-  
19 sand dollars (\$5,000) per annum and shall be paid in monthly installments out  
20 of the city treasury. He shall be commissioned by the Governor. In case of the  
21 absence of the bailiff, or of his inability to act in any case pending in said court  
22 by reason of his interest in said case or otherwise, the chief justice of the  
23 Municipal Court may designate any deputy bailiff to act as bailiff *pro tempore*  
24 until such absence or inability to act ceases. When a vacancy occurs in the of-  
25 fice of clerk and the unexpired term exceeds one year, the judges shall ap-  
26 point a bailiff *pro tempore*, who shall qualify by giving bond and taking oath  
27 as required by law of the bailiff and thereupon such appointee shall perform  
28 all the duties required of a duly elected bailiff of said court, and shall receive  
29 a like salary, and shall hold such office until some person is elected and qualified  
30 according to law to fill such vacancy. Whenever any such vacancy occurs, the

31 chief justice shall forthwith notify the Governor thereof, who, upon receiving  
32 such notice, shall, as soon thereafter as may be practicable, issue a writ of elec-  
33 tion as in other cases. It shall be unnecessary to serve any process of summons  
34 upon the bailiff in any suit against him commenced in the Municipal Court. In  
35 lieu of the service of such process the clerk shall notify the bailiff of the com-  
36 mencement of such suit and the bailiff shall thereupon forthwith enter his ap-  
37 pearance therein, such entry of appearance to be made without any advance pay-  
38 ment of costs.

Sec. 15. That said bailiff shall appoint such number of deputies as may  
2 be determined, from time to time, by a majority of judges of the Municipal,  
3 Court by orders signed by them and spread upon the records of said court.  
4 The salaries of deputy bailiffs shall be fixed, from time to time, by orders  
5 signed by a majority of the judges of the Municipal Court and spread upon  
6 the records of the court and shall be payable out of the city treasury in month-  
7 ly installments: *Provided, however,* That the salary of the chief deputy bailiff  
8 shall not exceed two thousand five hundred dollars (\$2,500) per annum, and that  
9 the salary of no other deputy bailiff shall exceed fifteen hundred dollars (\$1,500)  
10 per annum, unless the city council shall, by ordinance, so authorize. Such  
11 deputy bailiffs shall take the same oath or affirmation required of the  
12 bailiff of said Municipal Court and shall give bonds to be approved by the  
13 chief justice of said court conditioned, as near as may be, like the bond required of  
14 the bailiff. The bailiff and deputy bailiffs of the Municipal Court shall be *ex*  
15 *officio* police officers of the city of Chicago. Any deputy bailiff shall be subject  
16 to removal at any time by an order signed by a majority of the judges of the  
17 Municipal Court and spread upon the records of said court. The number of  
18 deputy bailiffs may be reduced at any time by an order signed by a ma-  
19 jority of the judges of said Municipal Court and spread upon the records

20 of said court. Every police officer of the city of Chicago shall be *ex officio* a  
 21 deputy bailiff of the Municipal Court, and shall perform, from time to time, such  
 22 duties in respect to cases within the jurisdiction of said court, as may be re-  
 23 quired of him by said court or any judge thereof. The bailiff may appoint a spe-  
 24 cial deputy to serve any summons issued out of the Municipal Court, by in-  
 25 dorsement thereon substantially as follows: "I hereby appoint . . . . . my  
 26 special deputy to serve the within writ," which shall be dated and signed by the  
 27 bailiff. Such special deputy shall make return of the time and manner of serv-  
 28 ice of such writ, under his oath, and for making a false return he shall be guilty  
 29 of perjury and be punished accordingly.

Sec. 16. That neither the clerk nor the bailiff nor any deputy clerk or dep-  
 2 uty bailiff of said Municipal Court shall receive, aside from the salary and the  
 3 costs by this Act required to be paid to him in his official capacity, any money,  
 4 property, or other valuable thing, as a gratuity or otherwise, for the perform-  
 5 ance of any duty imposed upon him by virtue of his office, or for the perform-  
 6 ance of any work of any kind or character in any manner connected therewith.  
 7 It shall be the duty of the judges of said Municipal Court to remove from of-  
 8 fice any deputy clerk or deputy bailiff who shall violate either of the provisions  
 9 of this section. No clerk or bailiff, or deputy clerk or deputy bailiff, of the  
 10 Municipal Court shall be appointed receiver or guardian *ad litem* in any suit  
 11 therein pending.

Sec. 17. That until otherwise determined in the manner hereinafter pro-  
 2 vided, and except as by this Act is otherwise prescribed, the practice in the  
 3 Municipal Court shall be the same, as near as may be, as that which is now  
 4 prescribed by law for similar suits or application to the proceedings of said court  
 5 pal Court shall be the sole judge of the applicability to the proceedings of said court



6 of the rules of practice prescribed by law for similar cases in the circuit courts and  
7 its decisions in respect thereto shall not be subject to review upon appeal or writ of  
8 error: *Provided, however,* That upon appeal or writ of error the Supreme Court,  
9 or the Appellate Court, as the case may be, may grant relief from any such deci-  
10 sion in any case where, in the opinion of the Supreme Court or Appellate Court,  
11 such relief is necessary to prevent a failure of justice.

Sec. 18. That the judges of said Municipal Court shall have power to  
2 adopt, in addition to or in lieu of the provisions herein contained prescribing  
3 the practice in said Municipal Court or of any portion or portions of said pro-  
4 visions, such rules regulating the practice in said court as they may deem nec-  
5 essary or expedient for the proper administration of justice therein. The adop-  
6 tion of said rules shall be accomplished by an order signed by a majority of said  
7 judges, which order, when made, shall be forthwith spread upon the records of  
8 the Municipal Court and shall be printed in pamphlet form at the expense of  
9 the city: *Provided, however,* That no such rule or rules inconsistent with those  
10 expressly provided for by this Act, shall become effective and be in force  
11 until after the lapse of thirty (30) days from the approval thereof by the  
12 Supreme Court. Application to the Supreme Court for such approval may be  
13 made by the chief justice of the Municipal Court, after notice of such applica-  
14 tion shall have been published once each week, for three consecutive weeks,  
15 in some newspaper of general circulation published in the city of Chicago, spe-  
16 cifying the time at which such application shall be made. Upon such applica-  
17 tion the Supreme Court shall review the said rule or rules so adopted and may  
18 either confirm the order adopting the same or may modify or set aside the  
19 same, and the Supreme Court may, in its discretion, substitute for the rule or  
20 rules so adopted by said judges of said Municipal Court or for any portion there-

21 of, such other rules as the Supreme Court may deem proper, and may, in its dis-  
 22 cretion, of its own motion or otherwise, make any order respecting the rules of  
 23 said Municipal Court which it may deem proper. The Supreme Court and Ap-  
 24 pellate Courts in cases brought to them from the Municipal Court by appeal or  
 25 writ of error shall take judicial notice of the rules of practice from time to  
 26 time in force in said Municipal Court.

Sec. 19. That there shall be no stated terms of the Municipal Court, but said  
 2 court shall be always open for the transaction of business. Every judgement, order  
 3 or decree of said court final in its nature, shall be subject to be vacated, set  
 4 aside or modified in the same manner and to the same extent as a judgment,  
 5 order or decree of a circuit court during the term at which the same was ren-  
 6 dered in such circuit court, provided a motion to vacate, set aside or modify the  
 7 same be entered in said Municipal Court within sixty days after the entry of  
 8 such judgment, order or decree. If no motion to vacate, set aside or modify any  
 9 such judgment, order or decree, shall be entered within sixty days after the entry  
 10 of such judgment, order or decree, the same shall not be vacated, set aside or mod-  
 11 ified excepting upon appeal or writ of error, or by a bill in equity, or by a peti-  
 12 tion to said Municipal Court setting forth grounds for vacating, setting aside  
 13 or modifying the same, which would be sufficient to cause the same to be vacated,  
 14 set aside or modified by a bill in equity: *Provided, however,* That all errors  
 15 in fact in the proceedings in such case, which might have been corrected at com-  
 16 mon law by the writ of error *coram nobis* may be corrected by motion, or the  
 17 judgment may be set aside, in the manner provided by law for similar cases in  
 18 the circuit courts: *And Provided, further,* That the Municipal Court may, at any  
 19 time within six months after the entry of any final order, judgment or decree,  
 20 cause the record thereof to be amended so as to conform to the truth as it may  
 21 be made to appear to the court by any evidence, which would be competent for



that purpose in a like proceeding in a circuit court during the term at which the final order, judgment or decree was entered.

Sec. 20. That the final orders, judgments and decrees of the Municipal Court in cases of the first class, cases of the second class and cases of the third class mentioned in section two (2) of this Act, and in bastardy cases, may be reviewed upon error or appeal, by the Supreme Court in all criminal cases above the grade of misdemeanors, cases in which a franchise or freehold or the validity of a statute or construction of the Constitution is involved, and in all cases relating to the revenue or in which the State is interested as a party or otherwise, and by the Appellate Court in all other cases. The practice in cases of appeals from or writs of error to said Municipal Court in said cases shall, except as in this Act, or by rules of said court adopted in pursuance hereof, may be otherwise provided, be the same, as near as may be, as the practice in cases of appeals from and writs of error to circuit courts in similar cases: *Provided, however,* That upon the suing out of any writ of error in any criminal case and the filing of the same in the Municipal Court, the Municipal Court may, in its discretion, admit any defendant to bail pending the determination of such writ of error. But no appeal shall be allowed in any case unless the same be prayed for within twenty days after the entry of the order, judgment or decree appealed from, and no assignment of error in the Supreme Court or in the Appellate Court in any such case shall be allowed which shall call in question the decision of the Municipal Court in respect to any matter pertaining to the practice in said court: *Provided, however,* That the Supreme Court or the Appellate Court, as the case may be, may grant relief from any error of the Municipal Court in respect to a matter of practice therein in any case where, in the opinion of the Supreme Court or Appellate Court, such relief is necessary to prevent

25 a failure of justice. Authenticated copies of records of judgments, orders and  
 26 decrees appealed from shall be filed in the office of the clerk of the Supreme  
 27 Court, or of the Appellate Court, as the case may be, within forty days after the  
 28 date of the order, judgment or decree appealed from, unless the Municipal  
 29 Court, by an order entered within said forty days, shall have granted further  
 30 time for the filing of the same.

Sec. 21. That the final orders and judgments of the Municipal Court in  
 2 cases of the fourth class and cases of the fifth class mentioned in section two  
 3 (2) of this Act, shall be reviewed by writ of error only. Such writ of error  
 4 shall be sued out of the Supreme Court in all cases in which a franchise, a free-  
 5 hold or the validity of a statute or the construction of the constitution is in-  
 6 volved, and out of the Appellate Court in all other cases. The time within  
 7 which a writ of error may be sued out in any such case shall be limited to thirty  
 8 days after the entry of the final order or judgment complained of. The man-  
 9 ner of prosecuting such writ of error shall be as follows:

10 *First.* Any party to any such case against whom there has been rendered  
 11 any final order or judgment of the Municipal Court and who shall desire to ob-  
 12 tain a review of such final order or judgment by a writ of error may, upon su-  
 13 ing out of the Supreme Court, or Appellate Court, as the case may be, a writ  
 14 of error in such case and filing the same in the Municipal Court, obtain from  
 15 the Municipal Court a stay of execution upon such order or judgment for nine-  
 16 ty (90) days after the entry thereof by the giving of a bond with a sufficient  
 17 surety or sureties to be approved by a judge of the Municipal Court condi-  
 18 tioned for the due prosecution of such writ of error and otherwise, as near as  
 19 may be, as an appeal bond in case of an appeal from a similar order or judg-  
 20 ment of a circuit court is required to be conditioned.

21       *Second.* No other or further stay of proceedings or execution in any such case  
 22 shall be allowed by the Municipal Court, but the Supreme Court or the Appellate  
 23 Court, or any judge thereof, may allow a *supersedeas* as in other cases, but  
 24 upon the allowance of any *supersedeas*, when any bond has been given as above  
 25 provided, no additional bond shall be required, and such *supersedeas* shall be  
 26 operative until the final determination of such writ of error.

27       *Third.* If, upon application to the Supreme Court or Appellate Court, or  
 28 to any judge thereof, for a *supersedeas*, the same shall be denied, such order or  
 29 judgment shall stand affirmed, and no further proceedings shall be had in said  
 30 Supreme Court or Appellate Court with respect thereto unless the Supreme  
 31 Court or Appellate Court, or the judge denying such *supersedeas* shall other-  
 32 wise order.

33       *Fourth.* The party in whose favor any final order or judgment has been  
 34 entered shall be entitled to sue out a writ of error from the Supreme Court or  
 35 the Appellate Court, as the case may be, by depositing with the clerk of the  
 36 court from which said writ of error is sued out the sum of twenty dollars (\$20)  
 37 as security to the opposite party for such costs as may be awarded such oppo-  
 38 site party by the Supreme Court or the Appellate Court, as the case may be,  
 39 upon the final determination of such writ of error.

40       *Fifth.* The party suing out any writ of error shall not be required to  
 41 serve upon the opposite party any *seire facias* to hear errors, but in lieu there-  
 42 of shall, within five days after the issuance of the writ of error, file the same  
 43 with the clerk of the Municipal Court, and make to the Supreme Court or the  
 44 Appellate Court, as the case may be, proof of such filing, and such writ of error  
 45 so filed shall be notice to the opposite party of the suing out and prosecution  
 46 of such writ of error.

47       *Sixth.* Upon application made at any time within thirty (30) days after  
 48 the entry of any final order or judgment, or within such further time as may,  
 49 upon application therefor within said thirty days, be allowed by the court, it  
 50 shall be the duty of the judge by whom such final order or judgment was en-  
 51 tered, to sign and place on file in the case in which the same was entered, if so  
 52 requested by either of the parties to the suit, either a correct statement, to be  
 53 prepared by the party requesting the signing of the same, of the facts appear-  
 54 ing upon the trial thereof, and of all questions of law involved in such case, and  
 55 the decisions of the court upon such questions of law, or, if such party shall  
 56 so elect, a correct stenographic report of the proceedings at the trial, and of  
 57 such other proceedings in the case as such party may desire to have reviewed  
 58 by the Supreme Court or the Appellate Court, omitting therefrom, with the  
 59 approval of the judge, so much of the arguments of counsel and of the other  
 60 proceedings, other than the evidence and rulings of the court with respect  
 61 thereto and the charge of the court, as the judge may deem unnecessary for the  
 62 presentation to the Supreme Court or the Appellate Court of the merits of the  
 63 case: *Provided, however,* That the opposite party may, if he so elect, cause the  
 64 parts so omitted to be signed by the judge as an additional report, and cause  
 65 the same to be certified by the clerk and filed in the Supreme Court or Appellate  
 66 Court, as the case may be, as a part of the record to be considered upon such  
 67 writ of error. The expense of procuring such report, or additional report,  
 68 shall be paid in the first instance by the party procuring the same, and shall  
 69 be taxed as a part of the costs in the Supreme Court or Appellate Court, as the  
 70 case may be. Such a statement, or such original report and additional report, if  
 71 there be such original or additional report, together with a certified copy of the  
 72 judgment, and such other papers as may be specified by the judge, if any, shall



73 be certified to the Supreme Court or Appellate Court, as the case may be, as  
 74 the record to be considered upon the review of such order or judgment by writ  
 75 of error.

76 *Seventh.* No order or judgment so sought to be reviewed shall be reversed  
 77 unless the Supreme Court or Appellate Court, as the case may be, shall be sat-  
 78 isfied from said statement or stenographic report, or reports, signed by said  
 79 judge that such order or judgment is contrary to the law and the evidence, or  
 80 that such order or judgment resulted from substantial errors of said Municipi-  
 81 pal Court directly affecting the matters at issue between the parties, in which  
 82 last mentioned case the Supreme Court or Appellate Court, as the case may be,  
 83 may enter such order or judgment as, in its opinion, the Municipal Court ought  
 84 to have entered, or it may reverse the said order or judgment and remand the  
 85 case to the Municipal Court for further proceedings.

86 *Eighth.* No assignment of error in the Supreme Court or in the Appel-  
 87 late Court in any such case shall be allowed which shall call in question the de-  
 88 cision of such Municipal Court in respect to any matter pertaining to the prac-  
 89 tice in such court, nor shall any exceptions to the rulings and decisions of the  
 90 Municipal Court upon the trial, which appear to have been made against the  
 91 objection of the party complaining thereof, be necessary to the right of either  
 92 party to a review of such rulings and decisions in the Supreme Court or Ap-  
 93 pellate Court upon their merits, but it shall be the duty of the Supreme Court  
 94 or the Appellate Court, as the case may be, to decide such case upon its merits  
 95 as they may appear from such statement or stenographic report or reports  
 96 signed by the judge: *Provided, however,* That the Supreme Court or Appellate  
 97 Court, as the case may be, may grant relief from any error of the Municipal  
 98 Court in respect to a matter of practice therein in any case where, in the opin-



99 ion of the Supreme Court or the Appellate Court, such relief is necessary to  
 100 prevent a failure of justice.

Sec. 22. That, in any case transferred to said Municipal Court by the Cir-  
 2 cuit or Superior Court of Cook county for trial and disposition, said Municipal  
 3 Court shall exercise the same powers as the court from which said case has  
 4 been transferred might have exercised had said case not been so transferred.  
 5 The Circuit Court of Cook county or the Superior Court of Cook county may,  
 6 upon the application of either party for a change of venue, and shall upon the  
 7 request of both parties to any suit at law or in equity pending therein trans-  
 8 fer said suit to the Municipal Court for trial and disposition. The Criminal  
 9 Court of Cook county may, in its discretion, upon the request of the State's at-  
 10 torney, or of any defendant, or of its own motion, transfer to the Municipal  
 11 Court for trial and disposition any case therein pending and shall have power  
 12 to make all orders which it may deem necessary to accomplish such transfer  
 13 and secure the attendance of the parties and witnesses upon said Municipal  
 14 Court until the final disposition of the case, and said Municipal Court, when  
 15 any criminal case shall have been so transferred to it, shall exercise all the  
 16 powers with respect to the trial and disposition of said case which the said  
 17 Criminal Court of Cook county might have exercised had said case not been so  
 18 transferred. In any case prosecuted by indictment in said criminal court, such  
 19 transfer shall be made by an order of said criminal court certifying the indict-  
 20 ment to the Municipal Court, the form of such order to be the same, as near as  
 21 may be, as is required by law for the certifying by a circuit court of an indict-  
 22 ment to a county court for process and trial, or for trial, as the case may be. In  
 23 certifying any such indictment from the criminal court to the Municipal Court  
 24 the clerk of the criminal court may use the following form, substantially:

25 STATE OF ILLINOIS, {  
 26 COOK COUNTY,        } ss.

27 I, ....., clerk of the Criminal Court of Cook county  
 28 aforesaid, do hereby certify that the within bill of indictment was on the ...  
 29 ..... day of ....., A. D. 19...., duly presented in open court by  
 30 the grand jury of said county, and, being examined by the said Criminal Court,  
 31 it was thereafter on the ..... day of ....., A. D. 19..,  
 32 ordered by the court that the same be certified by the clerk of said Criminal  
 33 Court to the Municipal Court of Chicago, which is done accordingly.

34 Such certificate, when endorsed on the back of any indictment, shall be  
 35 sufficient to warrant a trial and conviction of any party charged in any indict-  
 36 ment so certified, and shall be deemed a sufficient record to authorize the Muni-  
 37 cipal Court to try the party so indicted: *Provided*, Either party may ask for  
 38 and obtain a rule on the clerk of the Criminal Court for a complete record, duly  
 39 and properly certified, of any cause pending in the Municipal Court having  
 40 been certified as aforesaid; and it shall be the duty of the clerk of the Criminal  
 41 Court to obey any rule of the Municipal Court for the purpose aforesaid, and  
 42 when a complete record shall be so certified to the Municipal Court, said Court  
 43 shall be governed thereby in all respects in all its proceedings. All judgments  
 44 of conviction in criminal cases in said Municipal Court, where the punishment  
 45 inflicted is death or imprisonment, shall be carried into execution in the same  
 46 manner as is provided by law for similar cases in said Criminal Court of Cook  
 47 county. The prosecution of all criminal cases in the Municipal Court shall be  
 48 conducted by or under the supervision of the State's attorney of Cook coun-  
 49 ty, but in any case in which the State's attorney is disqualified from acting or is

50 unable to act, the court may appoint some attorney at law of Cook county to  
 51 act as prosecuting attorney in such case.

Sec. 23. That every suit at law in the Municipal Court other than a case of  
 2 the second class, or a case of the third class, or a case of the fifth class, or a  
 3 bastardy case, mentioned in section two of this Act, shall be tried by the court  
 4 without a jury unless the plaintiff, at the time he commences his suit, or the  
 5 defendant at the time he enters his appearance, shall file with the clerk a de-  
 6 mand in writing of a trial by jury, which demand, however, may be withdrawn  
 7 by the party filing the same at any time before the trial. Every civil suit at  
 8 law of the second class shall be tried by the court without a jury unless the re-  
 9 spective parties, or one of them shall, at the time of entering their or his ap-  
 10 pearance in the Municipal Court, file with the clerk a demand in writing of a  
 11 trial by jury. In every criminal case in which the punishment is by fine or im-  
 12 prisonment otherwise than in the penitentiary, in every quasi criminal case of  
 13 the second class, in every case of the fifth class mentioned in section two (2)  
 14 of this Act, and in every bastardy case, a trial by jury shall be deemed waived  
 15 unless the defendant shall expressly demand such trial, and when, in any such  
 16 case, the defendant shall not expressly demand a trial by jury, such defendant  
 17 may be imprisoned for nonpayment of the fine or of the judgment therein, or  
 18 otherwise in accordance with the provisions of such judgment, in like manner  
 19 as if he had waived a jury trial by executing a formal waiver in writing.

Sec. 24. That the petit jurors for the trial of cases in said Municipal  
 2 Court shall be provided by the jury commissioners of the county of Cook in the  
 3 same manner and from the same lists, as near as may be, as petit jurors are  
 4 provided for the Circuit, Superior and Criminal Courts of Cook county. The

5 names of the necessary number of petit jurors required from time to time in  
6 said Municipal Court shall be furnished by said jury commissioners upon de-  
7 mand to the clerk of the Municipal Court and the venirees for such jurors shall  
8 be directed to and served by the sheriff of Cook county at the expense of said  
9 county, and the fees of the said jurors shall be paid out of the city treasury.  
10 The number of petit jurors to be summoned from time to time shall be deter-  
11 mined by the chief justice. It shall be the duty of the chief justice of the Muni-  
12 cipal Court to cause to be interrogated all petit jurors summoned for service in  
13 the Municipal Court, and to cause to be enquired into the qualifications of  
14 said jurors, and to reject from service as jurors all persons who do not appear  
15 to possess the qualifications required by law, and to cause the summoning of per-  
16 sons competent to serve as jurors. In all cases tried by a jury in the Municipal  
17 Court each party shall be entitled to a challenge of the same number of jur-  
18 ors, without showing cause for such challenge, as are allowed in similar cases  
19 in the Circuit Court and in the Criminal Court of Cook county, and challenges  
20 for statutory and other causes shall be allowed as in similar cases in the Circuit  
21 Court and in said Criminal Court of Cook county. It shall be the duty of the  
22 judge presiding at the trial to examine or cause to be examined, all jurors called  
23 into the jury box in any case with respect to their statutory qualifications to  
24 serve as petit jurors in such cases, unless said examination shall have been pre-  
25 viously made as above provided, and to permit the plaintiff and the defend-  
26 ant to propound to the jurors such pertinent questions as may be necessary  
27 for the purpose of ascertaining whether the jurors are biased or prejudiced;  
28 but upon appeal or writ of error to review any judgment of said Municipal  
29 Court in any case tried therein by a jury, no assignment of errors shall be al-  
30 lowed which shall call in question any ruling of the court pertaining to or con-



31 nected with the impaneling of the jury, other than one improperly restrict-  
 32 ing the right of a party to examine the jurors as to bias or prejudice, or im-  
 33 properly overruling a challenge by a party or a juror for bias or prejudice.

Sec. 25. That all criminal cases in the Municipal Court in which the pun-  
 2 ishment is by fine or imprisonment otherwise than in the penitentiary, may be  
 3 prosecuted by information of the Attorney General or State's attorney, or  
 4 some other person, and when an information is presented by any person other  
 5 than the Attorney General or State's attorney, it shall be verified by affidavit  
 6 of such person that the same is true, or that the same is true as he is informed  
 7 and believes. Before an information is filed by any person other than the At-  
 8 torney General or State's attorney, one of the judges of the Municipal Court  
 9 shall examine the information and may examine the person presenting the  
 10 same and require other evidence and satisfy himself that there is probable  
 11 cause for filing the same and so endorse the same. Every information shall set  
 12 forth the offense with reasonable certainty, substantially as required in an in-  
 13 dictment, and the proceedings thereon shall be the same, as near as may be,  
 14 as upon indictment in the Criminal Court of Cook county, excepting as is by this  
 15 Act otherwise provided. But criminal cases in which the punishment is by fine  
 16 only may, in the discretion of the court, be prosecuted by complaint as is pro-  
 17 vided by law for the prosecution of criminal cases before justices of the peace.  
 18 Any person committed for a criminal or supposed criminal offense and not ad-  
 19 mitted to bail and not tried within four months after the date of arrest, shall  
 20 be set at liberty by the court, unless the delay shall happen on the application  
 21 of the prisoner or unless the court is satisfied that due exertion has been made  
 22 to procure the evidence on the part of the people and that there is reasonable  
 23 grounds to believe that such evidence may be procured within the next sixty



24 days, in which case the court may continue the case for such time as the court  
 25 may deem necessary, not exceeding said sixty days: *Provided, however, That*  
 26 if said person be not tried within said sixty days no further continuance shall  
 27 be granted and said person shall be set at liberty by the court.

Sec. 26. That, until otherwise provided by the rules of the Municipal  
 2 Court, cases of the first class mentioned in section two (2) of this Act shall be  
 3 commenced and prosecuted in said Municipal Court in the same manner in  
 4 which similar suits and proceedings are required to be commenced and prose-  
 5 cuted in the circuit courts, except as is herein otherwise prescribed, and except-  
 6 ing also in the following particulars:

7 *First.* The summons, when the first process is a summons, or the writ, when  
 8 the first process is a writ, shall be directed to the bailiff to execute and shall  
 9 be returnable upon some Monday at least five days, and not more than twenty  
 10 days, after the date thereof.

11 *Second.* Service of such summons or writ shall be made by delivering a  
 12 copy thereof to the defendant, if an individual, and informing him of the con-  
 13 tents thereof, but if any defendant be a corporation, the service shall be made  
 14 in the manner provided by law for similar cases in the circuit courts.

15 *Third.* Notice to the defendant by publication may be given under like circum-  
 16 stances and in the same manner as is provided by law for similar cases in the  
 17 circuit courts, but the notice published, in lieu of stating the time of the re-  
 18 turn of the summons or writ, shall state the date on or before which the de-  
 19 fendant is required to appear, which date shall be some Monday not less than  
 20 forty nor more than sixty days after the date of the first publication of notice,  
 21 as the plaintiff may require.

22       *Fourth.* No such suit shall be commenced in the Municipal Court unless  
 23 the defendant, if there be but one defendant, resides or is found within the  
 24 city of Chicago, or if the defendant be a corporation, unless its principal office  
 25 is within said city; but if the defendant be a corporation not having a principal  
 26 office in the city of Chicago, such suit may be brought in the Municipal  
 27 Court wherever service of process may be had within the city upon any officer,  
 28 agent or employe of such corporation upon whom service of process might be  
 29 had if issued in a suit commenced in the circuit court.

30       *Fifth.* The provisions of paragraph fourth above shall not apply to attachment  
 31 suits, replevin suits or cases of distress for rent brought against non-  
 32 residents of this State, which suits may be brought in the Municipal Court when  
 33 any property of the defendant is levied upon, or distrained, or any garnishee  
 34 resides or is found within the city of Chicago, or, if the suit be a replevin suit,  
 35 when the property sued for is replevied within the city of Chicago.

36       *Sixth.* When there are several defendants, one of whom resides or is found  
 37 or is served with process in the city of Chicago, a summons or writ may be  
 38 issued to the sheriff of Cook county for any defendant residing or to be found  
 39 in said county, but outside of the city of Chicago, or to the sheriff of any other  
 40 county for any defendant residing or to be found in such county, and service  
 41 of any summons or writ so issued shall be made in the same manner as herein  
 42 required in the case of a summons or writ directed to the bailiff: *Provided,*  
 43 *however,* That no judgment shall, in any case, be rendered against any defendant  
 44 served with process outside of the city of Chicago unless judgment be also rendered  
 45 against a defendant served within said city of Chicago.

46       *Seventh.* The plaintiff shall file his declaration within three days after the  
 47 commencement of the suit, in default whereof the suit shall be dismissed unless

the court by an order entered in said suit shall extend the time for filing such declaration.

*Eighth.* The defendant shall, in case he shall have been served with process of summons, or with the writ, three days or more prior to the return day thereof, enter his appearance on or before such return day and shall demur or plead to the declaration or the complaint on or before the Monday succeeding such return day; but in case the summons or writ shall have been served less than three days prior to the return day the defendant shall not be required to enter his appearance until on or before the first Monday succeeding such return day and shall not be required to plead to the declaration or complaint until on or before the second Monday after such return day. In case the time for filing the declaration or complaint shall be extended by the court, the time for the defendant to demur or plead to the same shall be extended until the second Monday succeeding the expiration of such extension of time. The time within which the defendant is required to demur or plead may be extended by the court in its discretion. In case the defendant shall fail to enter his appearance or to demur or plead within the time thus required, the plaintiff shall be entitled to judgment by default.

*Ninth.* The court, by rules to be adopted or orders signed by a majority of the judges and spread upon the records of the court, may substitute for the forms of pleading prevailing in the Circuit Courts such other forms of pleading as they may deem suitable and may also provide for such interlocutory proceedings in advance of the trial as they may deem conducive to a final decision of cases upon their merits.

But all cases provided for in this section shall be commenced, prosecuted and disposed of in the first district.



Sec. 27. That cases of the fourth class mentioned in section two (2) of this Act shall be brought and prosecuted in the district in which the defendant, if there be but one defendant, or one of the defendants, if there be more than one defendant, resides or is found, or, if the defendant be a corporation having its principal office in the city of Chicago, in the district in which its principal office is located; but if the defendant be a corporation not having a principal office in the city of Chicago, suit may be brought in any district within which service of process may be had upon any officer, agent or employe of such corporation, upon whom service of process might be had if issued in a suit commenced in the circuit court. If, in any such case, there is more than one defendant and one defendant resides or is found within the district in which such suit is brought or is properly served with process therein, the process of such Municipal Court may be served upon the remaining defendant or defendants at any place within said city of Chicago. But no suit against the city of Chicago or any other municipal corporation shall be brought in any other than the first district. If, in any case where there is more than one defendant, process is duly served upon one or more defendants and returned not served as to another defendant or other defendants, the suit shall proceed as in like cases in the circuit court. But the requirement that the defendant, if there be but one defendant, or one of the defendants, if there be more than one defendant, must reside or be found within the district in which such suit is brought shall not apply to attachment suits, replevin suits or cases of distress for rent, brought against non-residents of this State, which suits may be brought in any district when any property of the defendant is levied upon, replevied or distrained within such district, or any garnishee resides or is found in such district, nor shall it apply to forcible entry and detainer suits in which the defendants do not reside or cannot

27 be found within the city of Chicago, which suits may be brought in any district  
 28 in which the property, the possession of which is sought to be recovered, is sit-  
 29 uated, and notice may be given by publication in the manner prescribed by this  
 30 Act for attachment cases of the first class. When, upon the complaint of any  
 31 defendant, it shall be made to appear to the Municipal Court in any district that  
 32 the suit has been improperly brought therein, the court shall not be required  
 33 on that account to dismiss the suit, if the Municipal Court in any district could  
 34 properly have jurisdiction thereof, but in such case the court may cause such  
 35 suit to be transferred to the proper district and the court in the district to which  
 36 the same is transferred shall proceed therewith as if the same had been origi-  
 37 nally commenced in said district: *Provided, however,* That the court may, in  
 38 its discretion, require the plaintiff *provided further,* That whenever a trial by  
 39 him prior to such transfer: *And, Provided further,* that whenever a trial by  
 40 jury is demanded in any case, whether civil, criminal or quasi criminal, the  
 41 court may, in its discretion, direct the trial of said case to be had in the first dis-  
 42 trict, and for that purpose may cause said case to be transferred to the first  
 43 district, to be there tried and disposed of.

Sec. 28. That the Municipal Court in any civil suit pending therein, at  
 2 any time before the trial or final hearing thereof, may permit the filing therein  
 3 of interrogatories to be answered by any party to such suit or any person for  
 4 whose immediate benefit such suit is prosecuted or defended, or by the directors,  
 5 officers, superintendent or managing agents of any corporation which is a par-  
 6 ty to the record in such suit, at the instance of the adverse party or parties or  
 7 any of them, and to require an answer under oath to all such interrogatories  
 8 as the party to be interrogated might be required to answer, if called as a wit-



ness upon the trial or hearing of such suit, but the party filing such interrogatories shall not be concluded by the answers thereto, if he shall elect to introduce the same or any or either of them upon the trial or final hearing.

Sec. 29. That upon the trial or hearing of any suit in the Municipal Court any party thereto, or any person for whose immediate benefit such suit is prosecuted or defended, or the directors, officers, superintendent or managing agents of any corporation which is a party to the record in such suit, may be examined upon the trial thereof as if under cross-examination at the instance of the adverse party or parties or any of them, and for that purpose may be compelled, in the same manner and subject to the same rules for examination as any other witness, to testify, but the party calling for such examination shall not be concluded thereby, but may rebut the testimony thus given by counter testimony.

Sec. 30. That whenever in any suit pending in the Municipal Court, evidence shall be necessary concerning any fact in support of or in opposition to any interlocutory or other motion or application, other than an application for a change of venue, the court may, in its discretion, require such evidence to be presented by the oral examination of witnesses in open court or otherwise, and may make all necessary orders for such oral examination.

Sec. 31. That any judge of the Municipal Court shall have the power to sign or otherwise make any order in any suit pending in the Municipal Court at any place within the city of Chicago whenever, in the opinion of such judge, the granting of such order at such place is in furtherance of justice, and such order shall be as effective as though made in any court room of said court or in the chambers of said judge: *Provided, however,* That, after the defendant shall have entered his appearance, no such order shall be made at any other place

8 than a branch court of the district in which said suit is pending, without reason-  
9 able notice to the parties.

Sec. 32. That in trials by jury in the Municipal Court, the court shall  
2 charge the jury as to the law only, and the charge may, in the discretion of the  
3 court, be given orally or in writing, but, when given orally, it shall, at the re-  
4 quest of either party, be taken down in shorthand, and a transcript thereof shall  
5 be made and shall be signed by the judge and filed in the cause in which such  
6 charge is given, and shall be made a part of the record in such cause.

Sec. 33. That whenever it appears in any bill of exceptions signed in any  
2 case of the first class or any case of the second class or any case of the third  
3 class or any bastardy case, mentioned in section two (2) of this Act, tried and  
4 determined in the Municipal Court, that any erroneous ruling was made by said  
5 Municipal Court against the objection of the party complaining thereof, but  
6 that no formal exception was taken by such party thereto, such erroneous rul-  
7 ing shall be subject to review upon appeal or writ of error to the same extent  
8 and in like manner as if it appeared that a formal exception had been taken  
9 thereto by the party complaining, and no bill of exceptions shall be held defec-  
10 tive for the want of the seal of the judge thereto. A bill of exceptions may be  
11 tendered to the judge at any time within sixty (60) days after the entry of a  
12 final order or judgment, or within such further time thereafter as the court,  
13 upon application made therefor within such sixty (60) days, may allow. Upon  
14 the prosecution of an appeal or writ of error to review any judgment of the Mu-  
15 nicipal Court, in any such case, the original bill of exceptions, in lieu of a cer-  
16 tified copy thereof, shall be inserted in the transcript of the record to be filed in  
17 the Supreme Court or Appellate Court upon such appeal or writ of error, un-

18 less the Municipal Court shall otherwise direct, and upon the final determina-  
19 tion of such appeal or writ of error such original bill of exceptions shall be re-  
20 mitted to the Municipal Court.

Sec. 34. That no application for a change of venue in any case of the  
2 fourth class or in any case of the fifth class mentioned in section two (2) of  
3 this Act, or in any criminal case punishable by fine or imprisonment otherwise  
4 than in the penitentiary, on account of the prejudice of the judge shall be al-  
5 lowed by the Municipal Court when the applicant names in his application more  
6 than one judge from whom such change of venue is desired, nor unless such  
7 application for a change of venue is made by petition as in like cases in the  
8 circuit courts, and such petition is filed at or before the time of the filing or  
9 entering by the defendant of his appearance in the suit in which such change of  
10 venue is asked for, if such suit is a civil or quasi criminal suit, or at or before  
11 the time the defendant is required to plead if such suit is a criminal suit, and  
12 in no case shall the granting of any change of venue delay the trial of the suit,  
13 but such suit shall be tried and disposed of at the time set for the trial thereof or  
14 at the time to which the trial thereof may be postponed, before some other  
15 judge of the court than the one from whom the change of venue has been grant-  
16 ed, or in any other district in which the same may be ordered to be tried, and all  
17 orders necessary for the setting of such case for trial and for the securing of  
18 a speedy trial thereof may be made by the judge from whom said change of  
19 venue has been obtained.

Sec. 35. That every case of the fourth class mentioned in section two (2)  
2 of this Act, excepting the attachment suits, garnishment suits, replevin suits,  
3 cases of distress for rent, and forcible entry and detainer suits, brought in the



4 Municipal Court, shall be commenced by the filing by the plaintiff with the  
 5 clerk of a praecipe for a summons, specifying the names of the parties to the  
 6 suit, the amount of the plaintiff's claim and the day at which the summons shall  
 7 be made returnable, which day shall not be less than five (5) nor more than fif-  
 8 teen (15) days from the filing of the praecipe, and a bill of particulars of the  
 9 plaintiff's claim which bill of particulars, if the suit be upon a contract, express  
 10 or implied, shall consist of a statement of the account or of the nature of the  
 11 demand, or, if the suit be for a tort, it shall consist of a brief statement of the  
 12 nature of the tort and such further information as will reasonably inform the  
 13 defendant of the nature of the case he is called upon to defend, but nothing  
 14 herein contained shall be construed to require the bill of particulars in any ac-  
 15 tion for a tort to set forth the cause of action with the particularity required in  
 16 a declaration at common law. In cases of the fourth class mentioned in said  
 17 section two (2) of this Act, the Municipal Court may adopt such rules and reg-  
 18 ulations as it may deem necessary to enable the parties, in advance of the trial,  
 19 to ascertain the nature of the plaintiff's claim or claims, or of the defendant's  
 20 defense or defenses.

Sec. 36. That upon the filing of such praecipe and bill of particulars the  
 2 clerk of the Municipal Court shall issue a summons to the defendant directed  
 3 to the bailiff to execute and returnable at half past nine o'clock A. M. sharp of  
 4 the day for such return specified in the praecipe, which summons shall state the  
 5 amount of the plaintiff's claim and shall be attested in like manner as a sum-  
 6 mons issued out of a court of record. Upon every such summons there shall be  
 7 printed in plain type the provisions of this Act pertaining to defaults in case of  
 8 the non-appearance of the defendant, and setting of the case for trial in case

9 of appearance, and such further information as may be prescribed by the chief  
10 justice.

Sec. 37. That every such summons issued out of the Municipal Court shall  
2 be served, if the defendant be an individual, by delivering to him a copy thereof  
3 and informing him of its contents, or, if the defendant be a corporation, service  
4 shall be made upon such corporation in the same manner as is now or hereaf-  
5 ter may be provided by law for the service of process upon such corporation  
6 in a suit at law when issued out of a circuit court. In case said summons shall  
7 not be served upon the defendant three days or more prior to the return day  
8 thereof an alias summons may be issued and a subsequent pluries summons  
9 may be issued in any case when previous alias or pluries summons shall not  
10 have been served upon the defendant three days or more prior to the return day  
11 fixed in the previous summons. Service of such alias or pluries summons  
12 shall be made in the same manner as that above provided for the service of  
13 original summons.

Sec. 38. That upon the return of any such summons duly served upon the  
2 defendant, the plaintiff shall be entitled to judgment as in case of default, un-  
3 less the defendant shall either appear in person at the time specified in such  
4 summons, or shall, at or before the time fixed in such summons for his appear-  
5 ance, file his appearance in writing in said Municipal Court. In case any de-  
6 fendant appears in person and desires to make defence to the suit, the court  
7 shall cause him to sign and file a written appearance. Upon such default the  
8 court shall assess the damages after hearing such evidence as the court may  
9 deem sufficient for that purpose. In case the defendant shall desire upon the  
10 trial to present any set-off or counter claim, he shall file a bill of particulars  
11 thereof with his appearance: *Provided, however,* The court may, in its discre-



tion, extend the time for the filing of such bill of particulars. It shall be the duty of the court at half past nine o'clock A. M. sharp of each day upon which the court is open for business, or as soon thereafter as practicable, to call or cause to be called, the cases in which the summonses are then returnable and in which the appearances in writing of the defendants have not been filed, and to give or cause to be given such directions with respect to such appearances as the court may find necessary or proper for the information of the parties.

Sec. 39. That the clerk of the Municipal Court shall keep on hand and furnish to suitors and attorneys on application printed blank forms of praecipis, summonses, entries of appearance, affidavits, bonds, attachment writs, replevin writs, petitions for changes of venue, and all other papers necessary for the use of the parties to suits in such court. Forms for such papers shall be prescribed by the chief justice of the Municipal Court, who shall also from time to time prescribe and cause to be printed forms of bills of particulars to be used in said court.

Sec. 40. That if, in any case of the fourth class or in any case of the fifth class mentioned in said section two (2) of this Act, brought in the Municipal Court, the defendant shall appear at the time specified in the summons or shall have entered his appearance in writing at or before the time so specified, the court shall, at such time, or as soon thereafter as practicable, fix a time for the trial thereof and such case shall be tried at the time so fixed or as soon thereafter as the other business of the court will permit.

Sec. 41. That amendments to bills of particulars, praecipis, summons and other papers filed by either party may, in the discretion of the court, be allowed at any time,

Sec. 42. That the court may in any case of the fourth class mentioned in  
 2 section two (2) of this Act, grant such postponements of the trial, and may  
 3 make such other orders in respect thereto as the court may deem proper and  
 4 necessary for the protection of the rights of the parties, and the failure of the  
 5 court to try any such case at the time to which the trial has been postponed  
 6 shall not operate as a discontinuance, but the same shall remain under the con-  
 7 trol of the court until the final disposition thereof.

Sec. 43. That the practice and proceedings in the Municipal Court, other  
 2 than the mode of trial and the proceedings subsequent to trial, in cases of at-  
 3 tachment, garnishment, replevin, distress for rent, and forcible detainer, includ-  
 4 ed within the cases of the fourth class mentioned in section two (2) of this Act,  
 5 shall be the same, as near as may be, as that which is now prescribed by law for  
 6 similar cases in courts of record with the following exceptions:

7 *First.* There shall be no written pleadings, excepting such as are required  
 8 by law in similar cases before justices of the peace, other than the affidavits in  
 9 attachment, garnishment, and replevin, copies of the distress warrant in cases  
 10 of distress for rent, the complaint in forcible detainer, and such other written  
 11 pleadings or statements as may be required from time to time by the rules or  
 12 regulations of the Municipal Court, and the writ and summons shall be made  
 13 returnable, and shall be served in like manner, as the summons in other cases  
 14 of such class in the Municipal Court, and notice by publication may be given in  
 15 the manner prescribed by this Act for attachment cases of the first class.

16 *Second.* In attachment cases the defendant, at the time of his appearing  
 17 in person, or of his entering his appearance in writing, if he shall desire to be

18 permitted to present any set-off or counter claim, shall file a bill of particulars  
19 thereof.

20 *Third.* In forcible detainer cases the plaintiff may unite with his claim for  
21 possession of the property any claim for rent or damages for withholding pos-  
22 session of the same.

23 *Fourth.* The mode of trial and all proceedings subsequent to the trial shall  
24 be the same, as near as may be, as in other cases of the fourth class, men-  
25 tioned in section two of this Act.

Sec. 44. That the practice in the Municipal Court in cases of the fifth  
2 class shall be the same, as near as may be, as therein prescribed for civil cases  
3 of the fourth class mentioned in section two (2) of this Act in said court, ex-  
4 cepting as follows:

5 *First.* If, in any case, the defendant, after being duly served with sum-  
6 mons, fails to appear personally at the time specified in the summons, or to  
7 enter his appearance at or before such time, the court may proceed as in case  
8 of default, or may issue a warrant for the arrest of the defendant.

9 *Second.* When the facts constituting the offense complained of also con-  
0 stitute, in whole or in part, a violation of the criminal code, the court may issue  
1 a warrant in the first instance against the defendant, upon the filing by some  
2 person of a complaint under oath that the offense has been committed, and  
3 that the complainant has just and reasonable grounds to believe that the de-  
4 fendant committed the offense, and such warrant may be served at any place  
5 within the city of Chicago, if the court, in its discretion, shall so direct.

16       *Third.* A warrant may be issued in the first instance upon the affidavit of  
 17 any person that an ordinance has been violated, and that the person making the  
 18 complaint has reasonable grounds to believe that the party charged is guilty  
 19 thereof and will escape unless arrested, and stating the facts upon which such  
 20 belief is based: *Provided,* The judge to whom application is made for such  
 21 warrant shall be satisfied, after examining, or causing to be examined, under  
 22 oath the party making the affidavit, that such arrest should be made; and any  
 23 person arrested upon any warrant herein provided for shall, without unneces-  
 24 sary delay, be taken before the court to which such warrant is returnable and  
 25 tried for the alleged offense, and such warrant may be served at any place  
 26 within the city of Chicago if the court, in its discretion, shall so direct.

27       *Fourth.* Any police officer of the city of Chicago may arrest on view any  
 28 person who may be seen by such police officer in the act of violating, within the  
 29 city of Chicago, any ordinance of said city, or any ordinance of any municipal  
 30 corporation situated, in whole or in part, within the limits of said city, when-  
 31 ever such violation is, by such ordinance, made punishable by fine or otherwise.  
 32 Any person so arrested shall, without unnecessary delay, be taken by such offi-  
 33 cer to some convenient branch of the Municipal Court and such police officer  
 34 shall thereupon make and file a complaint in writing under oath against such  
 35 defendant of the violation by such defendant of such ordinance and such de-  
 36 fendant shall thereupon be dealt with according to law in the same manner as  
 37 if he had been arrested in the first instance under a warrant lawfully issued.

Sec. 45. That upon the arrest of any person for any criminal or quasi  
 2 criminal offense within the jurisdiction of the Municipal Court any judge of the  
 3 Municipal Court, or any judge of the Circuit or Superior Court of Cook coun-  
 4 ty, shall have power to let such person to bail; and in case of the arrest of any



5 person for any quasi criminal offense, or for any offense when the punishment  
 6 is by fine or imprisonment otherwise than in the penitentiary, the chief of police,  
 7 or any captain or lieutenant or sergeant of police, of the city of Chicago, or  
 8 any deputy clerk designated for that purpose by an order signed by a majority  
 9 of the judges of the Municipal Court shall have power to let such person to bail.  
 10 The bail bond in any such case shall be conditioned for the appearance of the  
 11 person arrested before some branch court at a time fixed in said bond for such  
 12 appearance, which time shall not be later than two days after the date of the  
 13 bond, and from day to day thereafter until the final judgment or order of the  
 14 court and shall be otherwise conditioned, as near as may be, as a bail bond or  
 15 recognizance taken in open court. Any bond so taken, shall be signed by one or  
 16 more sureties to be approved by such judge or officer who shall be authorized  
 17 and required to administer oaths for the purpose of ascertaining the sufficiency  
 18 of the sureties. All bonds so taken shall be filed with the clerk of the Municipal  
 19 Court at the branch court at which the person so arrested is required to appear.  
 20 The exercise of the power hereby conferred of letting to bail shall be subject  
 21 to regulations by such rules as may be adopted by a majority of the judges of  
 22 the Municipal Court as herein provided. But any person so arrested shall  
 23 have the right to be brought immediately before the Municipal Court in the  
 24 district in which he is arrested, or, if there be no judge then in attendance  
 25 upon such court, before the Municipal Court in any other district at which  
 26 there may be then a judge in attendance, to be dealt with by such court accord-  
 27 ing to law. The court may, by rule, provide that any defendant arrested in any  
 28 criminal case in which the punishment is by fine, or imprisonment otherwise  
 29 than in the penitentiary, or by any quasi criminal case, in lieu of giving bail  
 30 for his appearance, may deposit with the clerk or with the police officer letting



31 such person to bail to be by such police officer paid over to the clerk within twenty-  
 32 four hours after such deposit is made, such sum of money as the court may  
 33 deem sufficient to secure his appearance at the time or times fixed therefor,  
 34 such sum to be forfeited and paid into the city treasury in case such defendant  
 35 shall fail to appear at the time or times so fixed: *Provided, however, That if,*  
 36 upon an application made at any time within thirty days after such forfeiture  
 37 such defendant shall prove to the satisfaction of the court that his failure to so  
 38 appear was the result of serious illness, or other unavoidable accident, the  
 39 court may by order, set aside such forfeiture, such deposit, however, to be re-  
 40 tained until the final determination of the case, and, in case of the defendant's  
 41 conviction, to be applied, as far as may be necessary, to the payment of any  
 42 fine or costs adjudged against him.

Sec. 46. That the practice and proceedings in the Municipal Court in bas-  
 2 tardy cases shall be as follows:

3 *First.* Whenever an unmarried woman, who shall be pregnant or deliv-  
 4 ered of a child, which by law would be deemed a bastard, shall file in the Mu-  
 5 nicipal Court, if she be pregnant or so delivered in the city of Chicago, or the  
 6 person accused be found in said city of Chicago, her complaint in writing un-  
 7 der oath or affirmation accusing a person of being the father of such child, the  
 8 court shall order a warrant to issue against the person so accused and cause  
 9 him to be brought forthwith before the court.

10 *Second.* Such warrant shall be issued to the bailiff and to all sheriffs, cor-  
 11 oners and constables in the State of Illinois and may be executed by any officer  
 12 in any county.

13       *Third.* If, upon his appearance, the defendant denies the charge, the court  
 14 shall cause an issue to be made up whether the person charged as aforesaid is  
 15 the real father of the child or not, which issue shall be tried by a jury, unless the  
 16 party shall elect to waive a trial by jury, in which case the issue shall be tried  
 17 by the court without a jury.

18       *Fourth.* Pending the trial of such issue and the final disposition of the  
 19 matter, the court shall require the defendant to enter into a recognizance, in  
 20 such an amount and with such sureties as the court may deem just for the ap-  
 21 pearance of the defendant from day to day until the entry of the final judgment.

22       *Fifth.* All further proceedings in the case shall be the same, as near as  
 23 may be, as are provided by law for similar cases in the Criminal Court of Cook  
 24 county.

25       *Sixth.* The practice in cases of appeals from and writs of error to the Mu-  
 26 nicipal Court in bastardy cases shall be the same, as near as may be, as is in  
 27 this Act provided for cases of the first class, such appeals to be taken and such  
 28 writs of error to be sued out from the Appellate Court of the first district.

29       *Seventh.* The costs in such cases shall be the same as provided by this Act  
 30 for other quasi criminal cases in the Municipal Court.

Sec. 47. That the practice in the Municipal Court in proceedings to pre-  
 2 vent the commission of crimes shall be the same, as near as may be, as is now  
 3 provided by law for similar proceedings before judges of courts of record and  
 4 justices of the peace, with the following exceptions:

5       *First.* The complaint shall be filed with the clerk of the Municipal Court  
 6 who, when so ordered by the court, shall issue a warrant to the bailiff requiring

7 him to forthwith apprehend the person complained of and bring him before the  
8 court.

9 *Second.* All proceedings in such cases shall be proceedings in court, in-  
10 stead of proceedings before a judge thereof, and all orders entered in such pro-  
11 ceedings shall be orders of court, instead of orders of a judge thereof and shall  
12 be entered of record as orders in other cases.

13 *Third.* Recognizance may be taken in open court and when so taken shall  
14 have the same force and effect, and be enforced in the same manner, as recog-  
15 nizances in other cases taken in open court.

16 *Fourth.* No appeal shall be allowed from any order in such cases to the  
17 Criminal Court of Cook county, but all orders of the court may be reviewed by  
18 writ of error sued out of the Appellate Court of the first district. The practice  
19 in writs of error in such cases shall be the same, as near as may be, as that pro-  
20 vided for by this Act for writs of error in cases of the first class.

Sec. 48. That the practice in all proceedings in the Municipal Court for  
2 the arrest, examination, commitment and bail of persons charged with criminal  
3 offenses shall be the same, as near as may be, as is provided by law for similar  
4 proceedings before judges of courts of record and justices of the peace, with the  
5 following exceptions:

6 *First.* The complaint shall be filed with the clerk of the Municipal Court,  
7 who, when so ordered by the court, shall issue the warrant, which shall be di-  
8 rected to the bailiff and to all sheriffs, coroners and constables within this  
9 State and shall require the officer to whom it is directed to forthwith take the  
10 person of the accused and bring him before the court, and all proceedings in the

11 case shall be proceedings in court instead of proceedings before a judge there-  
 12 of and all orders entered in such proceedings shall be orders of court instead of  
 13 orders of a judge thereof, and shall be entered of record as orders in other  
 14 cases.

15 *Second.* All recognizances may be taken in open court, in which case they  
 16 shall have the same force and effect as recognizances in other cases taken in  
 17 open court.

18 *Third.* Upon the hearing the court may, in its discretion, cause the testi-  
 19 mony of the witnesses to be taken down in shorthand and transcribed and, when  
 20 so transcribed, it may be certified by the judge and transmitted to the clerk of the  
 21 Criminal Court and, when so certified and transmitted, it may be presented to  
 22 the grand jury and be given the same force and effect by the grand jury as if  
 23 the witness had appeared before the grand jury and orally testified.

Sec. 49. That the practice in the Municipal Court in proceedings pertain-  
 2 ing to search warrants shall be the same, as near as may be, as that provided by  
 3 law for similar proceedings before judges of courts of record and justices of  
 4 the peace, with the following exceptions:

5 *First.* The complaint shall be filed with the clerk of the Municipal Court,  
 6 who, when so ordered by the court, shall issue the warrant, which shall be di-  
 7 rected to the bailiff or to the sheriff or to any constable of the county command-  
 8 ing such officer to search either in the day time or the night time the house or  
 9 place where the stolen property or other things for which he is required to  
 10 search are believed to be concealed (which place and property or things to be  
 11 searched for shall be particularly designated and described in the warrant) and



12 to bring such stolen property or other thing, when found, and the person in  
13 whose possession they are found, before the Municipal Court.

14 *Second.* That all proceedings in such cases shall be proceedings in court  
15 instead of proceedings before a judge thereof, and all orders entered in such  
16 proceedings shall be orders of the court instead of orders of a judge thereof,  
17 and shall be entered of record as orders in other cases.

Sec. 50. That both in direct and in collateral proceedings the same pre-  
2 sumptions shall be indulged with respect to the jurisdiction of the Municipal  
3 Court over the subject matter of suits and over the parties thereto, and with re-  
4 spect to the regularity of the proceedings of said Municipal Court, as are in-  
5 dulged with respect to the jurisdiction and regularity of the proceedings of cir-  
6 cuit courts in like cases.

Sec. 51. That if the method of procedure in any case within the jurisdiction  
2 of the Municipal Court is not sufficiently prescribed by this Act, or by any rule  
3 of court adopted in pursuance hereof, the court may make such provision for  
4 the conducting and disposing of the same as may appear to the court proper for  
5 the just determination of the rights of the parties.

Sec. 52. That any money in judgment rendered by the Municipal Court,  
2 when no execution issued thereon is outstanding, may be satisfied by the pay-  
3 ment by the party against whom the same has been rendered of the amount  
4 thereof to the clerk of said court, who, upon payment being made, shall enter sat-  
5 isfaction thereof and shall, upon demand, pay over the money received by him to  
6 the person appearing of record to be entitled thereto.

Sec. 53. That the Municipal Court shall take judicial notice of all matters



2 of which courts of general jurisdiction of this State are required to take judic-  
 3 ial notice, and also of the following:

4 1. All general ordinances of the city of Chicago and all general ordinances  
 5 of every municipal corporation situated in whole or in part within the limits of  
 6 the city of Chicago.

7 2. All laws of a public nature enacted by any state or territory of the Unit-  
 8 ed States.

Sec. 54. That the masters in chancery of the Circuit and Superior Courts  
 2 of Cook county shall be *ex officio* masters in chancery of the Municipal Court.

Sec. 55. That the costs in civil cases in the Municipal Court shall be as fol-  
 2 lows:

3 *First.* In a case of the first class mentioned in section two (2) of this Act,  
 4 the plaintiff, at the time of commencing his suit, shall pay to the clerk in full  
 5 for all services to be rendered by said clerk for the plaintiff in said suit other  
 6 than the making or furnishing of transcripts of the record, the sum of eight dol-  
 7 lars (\$8), and, if he at the same time files with the clerk a demand in writing of  
 8 a trial by jury, he shall pay to the clerk the further sum of six dollars (\$6).

9 *Second.* In a case of the second class mentioned in section two (2) of this  
 10 Act the plaintiff, at the time of entering his appearance, if he files with the clerk  
 11 a demand in writing of a trial by jury, he shall pay to the clerk the further sum  
 12 of six dollars (\$6).

13 *Third.* In any case of the first class mentioned in section two (2) of this  
 14 Act the defendant at the time of filing his appearance, and before he shall be  
 15 permitted to make any defense, shall pay to the clerk in full for all services to be

16 rendered by said clerk for the defendant in said suit, other than the making or  
 17 furnishing of transcripts of the record, the sum of five dollars (\$5), and if such  
 18 defendant, or any defendant in a suit of the second class, shall, at the time of  
 19 entering his appearance, also file with the clerk a demand in writing of a trial  
 20 by jury, he shall pay to the clerk the further sum of six dollars (\$6).

21 *Fourth.* In any case of the fourth class mentioned in section two (2) of  
 22 this Act, the plaintiff, at the time of commencing his suit, shall pay to the clerk  
 23 for all services to be rendered by said clerk, if such case be other than an action  
 24 of forcible detainer, the sum of two dollars (\$2) when the amount claimed by him  
 25 in money or property does not exceed two hundred dollars (\$200), the sum of  
 26 five dollars (\$5) when the amount claimed by him in money or property exceeds  
 27 two hundred dollars (\$200) but does not exceed one thousand dollars (\$1,000),  
 28 and in a case of forcible detainer the sum of two dollars (\$2) when the plaintiff  
 29 does not unite with his claim for possession of the property any claim for rent  
 30 or damages, but when he does unite with his claim for possession of the property  
 31 a claim for rent or damages he shall pay to the clerk the further sum of two dol-  
 32 lars (\$2) when the amount claimed for rent or damages does not exceed two  
 33 hundred dollars (\$200), the further sum of five dollars (\$5) when the amount  
 34 claimed for rent or damages exceeds two hundred dollars (\$200) and does not  
 35 exceed one thousand dollars (\$1,000), and the further sum of eight dollars (\$8)  
 36 when the amount claimed for rent or damages exceeds one thousand dollars  
 37 (\$1,000), and, in every case of the fourth class, if the plaintiff, at the time he  
 38 commences his suit, files with the clerk a demand in writing of a trial by jury he  
 39 shall pay to the clerk the further sum of six dollars (\$6).

40 *Fifth.* In any case of the fourth class mentioned in section two (2) of this  
 41 Act, the defendant, at the time of entering his appearance, shall pay to the clerk

in full for services to be rendered by said clerk, if the suit be other than an action of forcible detainer, the sum of two dollars (\$2) when the amount claimed by the plaintiff in money or property exceeds two hundred dollars (\$200), and in actions of forcible detainer in which the plaintiff unites with his claim for possession of the property a claim for rent or damages the sum of two dollars (\$2) when the amount claimed for rent or damages exceeds two hundred dollars (\$200) but does not exceed one thousand dollars (\$1,000), and the sum of five dollars (\$5) when the amount claimed for rent or damages exceeds one thousand dollars (\$1,000), and in every case of the fourth class, if the defendant at the time he enters his appearance, files with the clerk a demand in writing of a trial by jury he shall pay to the clerk the further sum of six dollars (\$6).

*Sixth.* In any case of the first class and in any case of the second class mentioned in section two (2) of this Act the party delivering to the bailiff, or to any sheriff or to any coroner, any summons, writ of attachment, writ of replevin, subpoena, writ of execution or other process, shall, at the time of making such delivery, pay to the bailiff, or sheriff, or coroner, as the case may be, the sum of one dollar and seventy-five cents (\$1.75) for each defendant named in such process upon whom service thereof is to be made, and, in cases of writs of attachment, replevin or execution, he shall pay to the bailiff, or to the sheriff, or to the coroner, as the case may be, the further sum of one dollar and seventy-five cents (\$1.75) when any levy upon or seizure of property is to be made thereunder, and shall also pay to the bailiff, or sheriff, or coroner, as the case may be, the actual expense of seizing or caring for any property levied upon or seized thereunder; and the costs for other services of the bailiff, or of the sheriff, or of the coroner, as the case may be, in cases of the first class and cases of the second class, shall be the same as those required by law, from time to time, to be paid



68 for similar services in cases in the Circuit Court of Cook county, excepting that  
69 no charge shall be made for mileage in the serving of any writ, and that no  
70 charge shall be allowed for the service or return of any alias writ, when the  
71 costs above provided for the original writ have been paid.

72       *Seventh.* In any case of the fourth class mentioned in section two (2) of  
73 this Act, the party delivering to the bailiff any summons, writ of attachment,  
74 writ of replevin, subpoena, writ of execution or other process shall at the time of  
75 making such delivery pay to the bailiff the sum of one dollar (\$1.00) for each  
76 defendant named in such process upon whom service thereof is to be made, and  
77 in cases of writs of attachment, replevin or execution, he shall pay to the bailiff  
78 the further sum of one dollar (\$1.00), when any levy upon or seizure of property  
79 is to be made thereunder, and shall also pay to the bailiff the actual expense of  
80 seizing or caring for any property levied upon or seized thereunder; but no  
81 costs for the service or return of any alias writ shall be chargeable when the costs  
82 above provided for the original writ have been paid.

83       *Eighth.* In any case of the fourth class mentioned in section two (2) of  
84 this Act, the party procuring any certified copy of the record or of any portion  
85 thereof in any case shall pay to the clerk the same fees required by law from  
86 time to time to be paid to the clerk of the Circuit Court of Cook county for simi-  
87 lar services.

88       *Ninth.* In any case of the fourth class mentioned in section two (2) of this  
89 Act, the bailiff, as commissions on moneys realized by execution, shall collect  
90 from the defendant in the execution five (5) per cent upon the amount realized,  
91 if it do not exceed one hundred dollars (\$100), but if the amount realized ex-

ceeds one hundred dollars (\$100) the bailiff shall collect five (5) per cent on the first one hundred dollars (\$100) and three (3) per cent upon the excess over one hundred dollars (\$100).

*Tenth.* All other costs not herein expressly provided for shall be the same as the costs provided by law in cases in the Circuit Court of Cook county, and all costs shall be taxed in favor of the successful party and against the unsuccessful party in the same way, and to the same extent, as costs in similar cases are taxed in the Circuit Court of Cook county unless the court shall otherwise direct.

In any case included within the terms of this section the court may, in its discretion, order that an advance payment of costs may be waived in favor of any poor person whose financial circumstances, as made to appear to the court, are such that such advance payment would be unduly burdensome or oppressive, and no advance payment of costs shall in any case be required to be made either by the State of Illinois, the county of Cook or any municipal corporation situated in whole or in part within the limits of the city of Chicago.

Sec. 56. That the costs in criminal and quasi criminal cases and proceedings in the Municipal Court, instituted in the name or by the authority of the people or in the name of any state or county officer in his official capacity, or by any municipal corporation other than the city of Chicago, shall be as follows:

*First.* The clerk's fees in full for all services rendered by him shall be the sum of three dollars (\$3).

*Second.* The bailiff's fees shall be the same as those which may now or hereafter be fixed by law for the sheriff in counties of the third class for similar



9 services, excepting that no charge shall be made for mileage in the service of any  
10 writ.

11 No defendant in any such case shall be required to pay any advance costs  
12 of any kind or character, but in case of final judgment being entered against him  
13 all the costs of the suit may, in the discretion of the court, be awarded against  
14 him and collected by execution or otherwise as the court may direct, and when so  
15 collected shall be paid into the city treasury.

16 All moneys collected upon judgments of the Municipal Court in criminal  
17 cases shall be paid to the clerk, who shall, at the end of each week, pay the same  
18 into the city treasury.

Sec. 57. That the costs in quasi criminal cases in the Municipal Court insti-  
2 tuted in the name of the City of Chicago, or in the name of any officer thereof in  
3 his official capacity, shall be as follows:

4 *First.* The clerk's fees in full for all services rendered by him shall be the  
5 sum of three dollars (\$3).

6 *Second.* The bailiff's fees shall be the same as those which may now or  
7 hereafter be fixed by law for the sheriff in counties of the third class for similar  
8 services, excepting that no charge shall be made for mileage in the service of  
9 any writ.

10 No defendant in any such case shall be required to pay any advance costs of  
11 any kind or character, but in case of final judgment being entered against him,  
12 all the costs of the suit may, in the discretion of the court, be awarded against  
13 him and collected by execution or otherwise as the court may direct, and when  
14 so collected shall be paid into the city treasury,

15 All moneys collected upon judgments of the Municipal Court in cases for  
 16 violation of municipal ordinances shall be paid to the clerk, who shall, within one  
 17 week after receiving the same, pay over to the city of Chicago all moneys so col-  
 18 lected upon judgments in its favor, and to each other municipal corporation sit-  
 19 uated in whole or in part, within the limits of the city of Chicago, all fines and  
 20 penalties so collected upon judgments in favor of such municipal corporation.

21 The provisions of this Act as to costs may, upon the recommendation of a  
 22 majority of the judges of the Municipal Court, from time to time, be changed  
 23 and regulated by ordinances passed by the city council of the city of Chicago.

Sec. 58. That the clerk and each deputy clerk shall collect for the acknowl-  
 2 edgment and entering of memoranda of chattel mortgages and for the acknowl-  
 3 edgment of other written instruments the same fees allowed by law to justices  
 4 of the peace for similar services and the fees so collected and all costs collected  
 5 in each week by the clerk and bailiff shall be paid over by them respectively to  
 6 the city of Chicago on the Monday of the succeeding week, and the clerk and bail-  
 7 iff shall be held personally responsible for all costs required to be paid to them  
 8 in advance as hereinbefore provided, and the clerk shall be personally responsi-  
 9 ble for all fees required as aforesaid to be collected by him and by each deputy  
 10 clerk. The clerk and the bailiff shall be required to keep complete and accurate ac-  
 11 counts of all moneys collected by them and by their respective deputies, and such  
 12 accounts shall, under the direction of the chief justice of said Municipal Court, be  
 13 examined and audited monthly, the expense thereof to be paid by the city.

Sec. 59. That it shall be the duty of the judges of the Municipal Court to  
 2 cause to be organized and conducted, under the supervision of the judges, a  
 3 bureau or department of said court to be known as a bureau of justice, the  
 4 purpose of which shall be, first, to investigate claims of poor persons whose

5 financial circumstances are such that the advance payment of costs would be to  
 6 them unduly burdensome or oppressive and who may be unable to secure the  
 7 services of competent lawyers; second, to assist in the prosecution of all such  
 8 claims as, upon investigation, may seem to be meritorious and which cannot be  
 9 fairly adjusted by negotiation; third, to investigate cases of poor persons who  
 10 may be charged with criminal or quasi criminal offenses and to secure to such  
 11 persons fair and impartial trials; and, fourth, generally to aid in securing jus-  
 12 tice in said court for all persons who, because of their financial circumstances or  
 13 otherwise, are unable to properly protect themselves.

Sec. 60. That the offices of justices of the peace, police magistrates and  
 2 constables in and for the territory within the city of Chicago be and they are  
 3 hereby abolished, and that the jurisdiction of justices of the peace in the terri-  
 4 tory of the county of Cook outside of the city of Chicago be and it is hereby  
 5 limited to the territory of said county outside of said city, but this section of  
 6 this Act shall not become operative until the first Monday of December, A. D.  
 7 1906, and on and after said date the jurisdiction hereby conferred upon the Mu-  
 8 nicipal Court shall exclude the exercise of any portion of such jurisdiction by all  
 9 other courts excepting courts of record, and on and after said first Monday of  
 10 December, A. D. 1906, no other court than a court of record shall exercise juris-  
 11 diction in any case in which said Municipal Court is given jurisdiction by this  
 12 Act.

Sec. 61. That when the offices of justices of the peace within the city of  
 2 Chicago shall be abolished the docket of each justice of the peace whose office is  
 3 thus abolished, and all papers in his possession pertaining to proceedings had be-  
 4 fore him shall be forthwith delivered up to the clerk of the Municipal Court,  
 5 who shall preserve the same in his office kept in the first district and who shall



6 have as full power and authority to certify to transcripts of such proceedings as  
 7 such justice of the peace would have had, had the office not been abolished. Exe-  
 8 cutions directed to the bailiff of the Municipal Court may be issued by the clerk  
 9 of said court upon any unsatisfied judgments rendered by such justice of the  
 10 peace in all cases in which the same might have been issued had such office of jus-  
 11 tice of the peace not been abolished, and every such execution shall be a lien upon  
 12 all the personal property of the defendant, subject to execution in Cook county  
 13 from the time the same is delivered to the bailiff and the same may be levied  
 14 upon any such property of the defendant in Cook county. Said Municipal Court  
 15 shall allow an appeal to the Circuit or Superior Court of Cook county from any  
 16 judgment rendered by any justice of the peace within twenty (20) days prior to  
 17 the first Monday of December, A. D. 1906, upon the giving by the appellant of an  
 18 appeal bond with security as now required by law in cases of appeals from jus-  
 19 tices of the peace: *Provided*, Such appeal is prayed at any time within twenty  
 20 (20) days after the first Monday of December, A. D. 1906. In all cases not deter-  
 21 mined or finally disposed of by such justice of the peace at the time his office is  
 22 abolished, such proceedings shall be had in said Municipal Court as might be had  
 23 were such suits originally brought in said court, but no trial of any such case  
 24 shall be had in such court without such notice to the parties thereto as the court  
 25 may deem necessary. All writs issued by justices of the peace within the city of  
 26 Chicago and which shall not have been returned on the first Monday of Decem-  
 27 ber, A. D. 1906, shall be forthwith returned to the Municipal Court, and said  
 28 Municipal Court shall have full power to make such provision for the execution  
 29 or other disposition of all such writs as said court may deem proper for the pro-  
 30 tection of the rights of the respective parties to the suits in which such writs  
 31 have been issued.

Sec. 62. That it shall be the duty of the chief justice of the Municipal  
2 Court to superintend the keeping of the records of said court and to prescribe  
3 abbreviated forms of entries of orders therein, which abbreviated forms so pre-  
4 scribed shall have the same force and effect as if said orders were entered in full  
5 in the records of said court. When any certified transcript of the record, or of  
6 any portion thereof, of any suit or proceedings in said court is required, the same  
7 shall be written out in full from such abbreviated forms and duly authenticated  
8 according to law.

Sec. 63. That the orders, judgments and decrees of the Municipal Court in  
2 cases of the first class and cases of the second class shall have the same force, be  
3 of the same effect, be liens upon real estate in the city of Chicago to the same ex-  
4 tent and under the same circumstances, and be executed and enforced in the  
5 same manner as the judgments, orders and decrees of the Circuit Court of Cook  
6 county, and such judgments and decrees shall also be liens upon real estate in  
7 the county of Cook outside of the city of Chicago after certified transcripts of  
8 the same shall have been filed in the office of the recorder of Cook county, which  
9 transcripts shall contain the names of the parties to the suits, the kinds of ac-  
10 tions, the amounts of the judgments or the general nature and effect of the de-  
11 crees as the case may be, and the dates on which the judgments and decrees were  
12 rendered: *Provided, however,* That no such orders, judgments or decrees shall  
13 be liens upon or affect registered land or any estate or interest therein until a  
14 certificate under the hand and official seal of the clerk of the Municipal Court,  
15 stating the date and purport of the judgment, decree or order, is filed in the of-  
16 fice of the register of titles of said Cook county, and a memorial of the same is  
17 entered upon the register of the last certificate of title to be affected. All of the  
18 judgments of the Municipal Court shall have the same force, be of the same effect



and be executed and enforced in the same manner as the judgments of the Circuit Court of Cook county. But no such judgment shall be a lien upon the real estate of the person against whom it is obtained, excepting from the time of the filing of a certified transcript thereof in the office of the recorder of Cook county, which transcript shall contain the names of the parties to the suit, the kind of action, the amount of the judgment and the date upon which the same was rendered: *Provided, however,* That no such judgment shall be a lien upon or affect registered land or any estate or interest therein until a certified transcript thereof is filed in the office of the register of titles of Cook county and a memorial of the same is entered upon the register of the last certificate of title to be affected. The recorder of Cook county shall provide and keep in his office for said Municipal Court well bound books for entering therein an alphabetical docket of all judgments and decrees rendered in said Municipal Court as is now required by law for docketing judgments and decrees rendered in circuit courts, and shall forthwith, after the filing of any transcript herein provided for, enter the same, together with the hour, day, month and year of the filing of such certified transcript and the general number thereof. In all cases executions issued on judgments of the Municipal Court, when against the lands and tenements, goods and chattels of the defendants within the city of Chicago, shall be directed to the bailiff, or in case he is disqualified from acting, then to the sheriff of Cook county, and shall be liens upon all the personal property of the defendants situated within the city of Chicago, from the time they are delivered to the bailiff, or to the sheriff, to the same extent as executions issued out of the Circuit Court of Cook county when delivered to the sheriff, and may be levied upon the property, real or personal, of the defendants situated at any place within the city of Chicago, to the same extent as executions issued out of the Circuit Court of Cook county; but no

45 execution upon a judgment, other than one of the first class or one of the second  
 46 class, shall be a lien upon the real estate of the defendants until the same shall be  
 47 levied thereon and a certificate of such levy filed in the recorder's office of the  
 48 county in which such real estate is situated, and, in case of registered land or any  
 49 estate or interest therein, until a certified transcript of the judgment is filed in the  
 50 office of the register of titles of Cook county and a memorial of the same is en-  
 51 tered upon the register of the last certificate of title to be affected. Executions  
 52 against the lands and tenements, goods and chattels of the defendants outside of  
 53 the city of Chicago, shall be directed to the sheriff, or in case he is disqualified  
 54 from acting, to the coroner of the county in which such lands and tenements, goods  
 55 and chattels are situated.

Sec. 64. That any judgment of the Municipal Court, for the payment of  
 2 money, when the amount due thereon, exclusive of interest and costs exceeds  
 3 one hundred (\$100), may also be proceeded under in the following manner:

4 *First.* When an execution against the lands or tenements, goods and chat-  
 5 tels of the judgment debtor, or of any one of several debtors in the same judg-  
 6 ment, is issued to the bailiff of the Municipal Court and is returned unsatis-  
 7 fied in whole or in part, the judgment creditor at any time after such return  
 8 is made, will be entitled to an order of the Municipal Court requiring such judg-  
 9 ment debtor to appear before the court and answer concerning his property at a  
 10 time and place specified in the order: *Provided,* That if an execution has been  
 11 issued and returned unsatisfied in whole or in part within five years previ-  
 12 ous to the issuing of such order, nothing herein shall be construed to re-  
 13 quire the judgment creditor to issue more than one execution in order to en-  
 14 title him at any time, during the life of the judgment, to the remedy provid-  
 15 ed hereby. The fact that garnishee proceedings may have been commenced in

aid of, or that property has been levied upon under, a second execution issued upon the judgment, after the first execution has been returned unsatisfied in whole or in part, shall not be a bar to proceedings hereunder during the existence of such levy or the pendency of such garnishee action; but if it be made to appear to the satisfaction of the court that the property so levied on or garnisheed will be sufficient to satisfy such judgment in full with all costs, then the proceedings hereby provided for may, in the discretion of the court, be dismissed or postponed to a time after the sale under such execution or the termination of such garnishee proceedings.

*Second.* After the issuance of an execution against the lands and tenements, goods and chattels of any judgment debtor, and before the return thereof, upon proof by affidavit to the satisfaction of the court, that the judgment debtor residing in the city of Chicago has property which he unjustly refuses to apply toward the satisfaction of the judgment, whether subject to execution or not, the court may make an order requiring the judgment debtor to appear at a specified time and place to answer concerning the same, and the court may make such order concerning such property as the court may deem proper.

*Third.* Instead of making an order requiring the attendance of the judgment debtor, as provided in paragraphs first and second next preceding, the court, upon proof by affidavit to its satisfaction that there is danger of the judgment debtor leaving the State or concealing himself, and that there is reason to believe that he has property which he unjustly refuses to apply to such judgment, may order a warrant to be issued requiring the bailiff to arrest such judgment debtor and to bring him before the court to answer concerning his property.



42       *Fourth.* Upon his appearing or being brought before the court, such judg-  
 43 ment debtor may be examined on oath and witnesses may be required to appear  
 44 and testify on the part of either party in the same manner as upon the trial of  
 45 an issue. The court in its discretion may appoint a referee to take and re-  
 46 port such examinations, and may require the judgment debtor and the wit-  
 47 nesses, or any of them, to attend and be examined before such referee, who  
 48 shall have power to administer oaths and all other powers which would be  
 49 possessed by a master in chancery in the case of a bill in equity  
 50 filed by a judgment creditor for the enforcement of his judgment. No person  
 51 shall, on such examination, be excused from answering any question on  
 52 the ground that his examination or answer will tend to convict him of the com-  
 53 mission of a fraud; but his answer shall not be used as evidence against him  
 54 in any criminal action or proceeding.

55       *Fifth.* If it shall appear upon or pending any such examination that there  
 56 is danger of the debtor's leaving the State and that he has property which  
 57 he has unjustly refused to apply to such judgment, he may be ordered to enter  
 58 into a recognizance, with one or more sureties, that he will, from to time, at-  
 59 tend before the court, as the court shall direct, and that he will not, during  
 60 the pendency of the proceedings, dispose of any portion of his property not  
 61 exempt from execution. In default of entering into such recognizance he may  
 62 be committed to the county jail by warrant of the court as for a contempt.

63       *Sixth.* The court may order any property of the judgment debtor in the  
 64 hands of himself or any other person, or due to the judgment debtor, not ex-  
 65 empt from execution, to be applied toward the satisfaction of the judgment; but  
 66 if it appear that any person alleged to have property of the judgment debtor

67 or to be indebted to him claims an interest in the property adverse to him or  
 68 denies the debt, such interest or debt shall be recoverable only in an action  
 69 against such person brought in the name of the judgment debtor for the  
 70 use of the judgment creditor, but the court may, by order, forbid a transfer or  
 71 other disposition of such property or interest, until a sufficient opportunity be  
 72 given to the judgment creditor to commence action and prosecute the same to  
 73 judgment and execution, and may modify or dissolve such order at any time on  
 74 executions as it shall direct.

75 *Seventh.* If any person, party or witness, shall disobey an order of the  
 76 court or referee duly served he may be punished by the court as for contempt,  
 77 and in all cases of commitment hereunder the person committed may, in case  
 78 of inability to perform the act required or to endure the imprisonment, be dis-  
 79 charged by the court on such terms as may be just.

80 *Eighth.* Any order made hereunder may be served by delivering a certi-  
 81 fied or sworn copy thereof to the person against whom the same is made, and  
 82 such service may be made by the bailiff or by any party to the proceedings or  
 83 by his attorney or agent.

84 *Ninth.* All other proceedings hereunder shall be regulated by such rules as  
 85 may be adopted by a majority of the judges of the Municipal Court and approved  
 86 by the Supreme Court.

Sec. 65. That in case it shall be hereafter determined that so much of sec-  
 2 tions seven (7) and ten (10) hereof as fixes the terms of office of the chief jus-  
 3 tice and associate judges of the Municipal Court is invalid, this Act, shall not  
 4 on that account be adjudged wholly invalid, but the terms of office of the chief  
 5 justice and associate judges of said Municipal Court shall in such case be four  
 6 (4) years, and they shall hold their offices until their successors shall be elected



7 and qualified, and on the first Tuesday after the first Monday of November, A.  
 8 D. 1910, and on the first Tuesday after the first Monday of November of every  
 9 fourth year thereafter there shall be elected a chief justice and twenty-seven (27)  
 10 associate judges of said Municipal Court as successors in office of the judges  
 11 hereby required to be elected on the first Tuesday after the first Monday of No-  
 12 vember, A. D. 1906, and the terms of offices of the associate judges which may be  
 13 added to said Municipal Court in pursuance of section twelve (12) hereof shall  
 14 be four (4) years.

Sec. 2. That this Act shall be submitted to a vote of the legal voters of the  
 2 city of Chicago, at the election to be held on the first Tuesday of April, A. D.  
 3 1907. The ballots to be used at said election in voting upon this Act shall be in  
 4 substantially the following form:

For consenting to the Act entitled "An Act to amend an act entitled 'An Act in relation to a Municipal Court in the city of Chicago,' approved May 18, 1905."	
Against consenting to the act entitled "An Act to amend an act entitled 'An Act in relation to a Municipal Court in the city of Chicago,' ap- proved May 18, 1905."	

5 If a majority of the legal voters of said city voting on the question at such  
 6 election shall vote in favor of consenting to this Act, the same shall thereupon  
 7 take effect and become operative.

Sec. 3. Whereas, an emergency exists, therefore section two (2) of this Act  
 2 requiring that this Act be submitted to a vote of the legal voters of the city of  
 3 Chicago at the election to be held on the first Tuesday of April, A. D. 1907  
 4 shall take effect and be in force from and after the passage hereof.

1 Introduced by Mr. Gaunt, February 13, 1907.

2 Read by title, ordered printed and referred to Committee on Insurance.

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## A BILL

For an act entitled “An Act to require an annual apportionment and accounting of surplus of life insurance companies and the maintenance of a contingent reserve by such companies,”

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That every life insurance company doing  
3 business in this State conducted upon the mutual plan or in which policy hold-  
4 ers are entitled to share in the profits or surplus, shall make an annual appor-  
5 tionment and accounting to each policy holder of divisible surplus in excess of  
6 the contingent reserve as hereinafter provided, beginning not later than the end  
7 of the third year on all participating policies hereafter issued; and each such  
8 policy holder shall be entitled to and be credited with or paid, in the manner here-  
9 inafter provided, such a portion of the entire divisible surplus as has been con-  
10 tributed thereto by his policy,

Sec. 2. Any life insurance company doing business in this State may accumulate and maintain in addition to the capital and surplus contributed by its stockholders and in addition to an amount equal to the net values of its policies, computed according to the laws of the jurisdiction under which it is organized, a contingency reserve not exceeding the following respective percentages of said net values, to-wit: When said net values are less than one hundred thousand dollars, twenty per centum thereof or the sum of ten thousand dollars, whichever is the greater; when said net values are greater than one hundred thousand dollars, the percentage thereof measuring the contingency reserve shall decrease one-half of one per centum for each one hundred thousand dollars of said net values up to one million dollars; one-half of one per centum for each additional one million dollars up to ten million dollars; one-half of one per centum for each additional two million five hundred thousand dollars up to twenty million dollars; one-half of one per centum for each additional five million dollars up to fifty million dollars; one-half of one per centum for each additional twenty-five million dollars up to seventy-five million dollars; and if said net values equal or exceed the last mentioned amount, the contingency reserve shall not exceed five per centum thereof: *Provided*, That as the net values of said policies increase and the maximum percentage measuring the contingency reserve decreases, such corporation may maintain the contingency reserve already accumulated hereunder, although for the time being it may exceed the maximum percentage herein prescribed, but may not add to the contingency reserve when the addition will bring it beyond the maximum percentage: *Provided, further*, That for cause shown the Insurance Superintendent may at any time and from time to time permit any corporation to accumulate and maintain a contingency reserve in excess of the limit above mentioned for a prescribed period, not exceeding one year under any one permission, by filing in his office a decision stating his reasons therefor

28 and causing the same to be published in his next annual report. This section  
 29 shall not apply to any company doing exclusively a non-participating busi-  
 30 ness.

Sec. 3. Every policy holder shall, on all participating policies hereafter  
 2 issued, be permitted annually to select the manner and method of the application  
 3 of the surplus to be annually apportioned to his policy from among those set  
 4 forth in the policy. All apportioned surplus not actually paid over to the in-  
 5 sured, or applied in the reduction of current or future premiums or in the pur-  
 6 chase of paid-up insurance or pure endowment additions, shall be credited to the  
 7 insured and carried as an actual liability and be paid at the maturity of the pol-  
 8 icy.

Sec. 4. In event of default in payment of any premium due on any policy,  
 2 provided not less than three full years' premiums shall have been paid, there  
 3 shall be secured to the insured without action on his part, either paid up or ex-  
 4 tended insurance as specified in the policy, the net value of which shall be at  
 5 least equal to the entire net reserve held by the company on such policy, less two  
 6 and one-half per centum of the amount insured by the policy and dividend addi-  
 7 tions, if any, and less any outstanding indebtedness to the company on the policy  
 8 at time of default. There shall be secured to the insured the right to surrender  
 9 the policy to the company at its home office within one month after date of de-  
 10 fault for the cash value otherwise available, for the purchase of the paid-up or  
 11 extended insurance as aforesaid.

Sec. 5. No agreement between the company and the policy holder or appli-  
 2 cant for insurance shall be held to waive any of the provisions of this Act.

Sec. 6. All acts and parts of acts conflicting with the provisions of this Act  
 2 are hereby repealed.







Introduced by Mr. Gaunt, February 13, 1907.

Read by title, ordered printed and referred to Committee on Insurance.

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## A BILL

For an Act regulating disbursements by Life Insurance Companies.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented*  
2 *in the General Assembly:* That no domestic life insurance company shall make  
3 any disbursement of one hundred dollars or more unless the same be evidenced  
4 by a voucher signed by or on behalf of the person, firm or corporation receiving  
5 the money and correctly describing the consideration for the payment. If the  
6 expenditure be for both services and disbursements the voucher shall set forth  
7 the services rendered and an itemized statement of the disbursements made.  
8 If the expenditure be in connection with any matter pending before any legisla-  
9 tive or public body, or before any department or officer of any state or govern-  
10 ment, the voucher shall correctly describe, in addition, the nature of the matter  
11 and of the interest of such company therein. When such voucher cannot be  
12 obtained, the expenditure shall be evidenced by an affidavit describing the char-

13 acter and object of the expenditure and stating the reason for not obtaining such  
14 voucher.

Sec. 2. All acts and parts of acts inconsistent with the provisions of this

2 Act are hereby repealed.

- 1 Introduced by Mr. Haase, February 13, 1907.
- 2 Read by title, ordered printed and referred to Committee on Fish and Game.

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## A BILL

For an act to amend section one (1) and ten (10) of an act entitled, "An Act for the protection of game, wild fowl and birds, and to repeal certain acts relating thereto;" approved April 28, 1903, in force July 1, 1903, as amended by act approved May 18, 1905, in force July 1, 1905.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That sections one (1) and ten (10) of  
3 an act entitled, "An Act for the protection of game, wild fowl and birds, and  
4 to repeal certain acts relating thereto," approved April 28, 1903, in force July  
5 1, 1903, as amended by act approved May 18, 1905, in force July 1, 1905, be and  
6 the same are hereby amended to read as follows:

Sec. 1. It is hereby declared to be unlawful to hunt, kill, net, entrap, en-  
2 snare or destroy or attempt to hunt, kill, net, trap, ensnare or destroy or have in  
3 possession any ruffed grouse (partridge) for a period of four years from the date

4 of the passage of this Act; or any woodcock or mourning dove between the first  
5 day of December and the first day of August of each succeeding year; or any  
6 gray, red fox or black squirrel, between the thirty-first day of December and the  
7 first day of July of each succeeding year; or any jacksnipe, Wilson's snipe, sand-  
8 snipe or any kind of snipe or any golden plover, upland plover, or any kind of  
9 plover between the first day of May and first day of September of any year. And  
10 it shall be unlawful to kill, hunt, ensnare, entrap or otherwise destroy any wild  
11 goose, duck, brant or other water fowl at any time between the fifteenth day  
12 of April and the first day of September of any year. And it shall be unlawful  
13 to hunt, kill, entrap, ensnare or attempt to hunt, kill, entrap, ensnare or otherwise  
14 destroy any wild goose, duck, brant, rail or other water fowl between the sunset  
15 of any day and sunrise of next succeeding day at any period of the year. And  
16 it shall be further unlawful at any time to hunt, kill, entrap, ensnare or attempt  
17 to hunt, kill, entrap or ensnare or otherwise destroy any wild goose, brant, duck,  
18 or any other water fowl from any fixed or artificial ambush beyond the lines  
19 of natural covering of reeds, canes, willows, flags, crooked brush, wild rice or other  
20 vegetation above the water of any lake, river, bay or inlet, or other water course  
21 wholly within the State or with the aid or use of any device commonly called  
22 sneak boat, sink box or other device for the purpose of concealment in the open  
23 waters of this State. And it shall further be unlawful to shoot, kill or destroy  
24 or shoot at any wild goose, duck, brant or other water fowl, with a swivel gun,  
25 or from any sailboat, gasoline or electric launch or steam boat, at any time in  
26 any part of the water of any lake, river, bay or inlet or other water course wholly  
27 within this State: *Provided*, That it shall be unlawful to kill, entrap, ensnare or  
28 otherwise destroy any of the ducks, geese or brant mentioned in this section at  
29 any time for market or other commercial purposes nor more than thirty-five by

one person in one day. Any person or persons so offending shall for each and every offense be deemed guilty of a misdemeanor and on conviction shall be fined in any sum not less than fifteen dollars nor more than fifty dollars and costs of suit, and shall stand committed to the county jail until such fines and costs are paid: *Provided*, That such imprisonment shall not exceed ten days and the killing of each bird or animal herein specified shall be deemed a separate offense.

Sec. 10. That it shall be unlawful for any person in the State of Illinois, for and during the period of ten years from and after the passing of this Act to injure, take, kill, expose or offer for sale, or have in possession except for breeding purposes, any wild duck, doe or fawn and for ten years any quail, prairie chicken, wild turkey, ringneck, Mongolian pheasant, any green Japanese pheasant, English pheasant, any copper pheasant or Scholmeringen, any Trogapan pheasant, silver pheasant, golden pheasant or any kind of pheasant, any Cacabis and Chucker partridge, any sand grouse and black Indian partridge. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than fifty dollars nor more than one hundred dollars, and in default of payment of the fine imposed shall be imprisoned in the county jail at the rate of one day for each dollar of the fine imposed. The one-half of all fines imposed and collected under this Act shall be paid to the informer and the balance shall be paid to the game protection fund.





Introduced by Mr. Harris, February 13, 1907.

Read by title, ordered printed and referred to Committee on Miscellaneous Subjects.

## A BILL

For an act to regulate the practice of Optometry in the State of Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That the Governor shall within thirty  
3 days after the passage of this Act has taken effect, appoint a Board of Optical  
4 Examiners to be known as "The Illinois State Board of Optical Examination  
5 and Registration," consisting of five members whose term of office shall expire  
6 one, two, three, four and five years consecutively from the date of their appoint-  
7 ment and he shall annually thereafter appoint one member for five years to fill  
8 the vacancy caused by the expiration of the term of office of the outgoing mem-  
9 ber of the Board. No person who is not a graduate of a reputable school or  
0 college of Optometry, having a course of at least five weeks of personal attend-  
1 ance before graduation where the following subjects are taught: Anatomy of the

12 Eye, Function and Nerve supplies of the different parts, Retinoscopy and  
 13 Ophthalmoscopy, the Trial Case and how to use it, Rules for Transposition,  
 14 Light Wave Theory, Lens and how to Cement Bifocals, Optical Instruments and  
 15 their use, Frame Fitting.

Sec. 2. The Governor shall immediately after the appointment of said  
 2 Board, appoint from its members a president, secretary and treasurer, and said  
 3 Board shall have a common seal. The president and secretary shall have author-  
 4 ity to administer oaths for the accomplishment of the objects of the Board as  
 5 hereinafter provided. The Board shall keep a record of all its proceedings, and  
 6 also a register of all applicants for license together with the record showing  
 7 their ages, time spent in the study of Optometry and the name and location of  
 8 all colleges granting to such applicants degrees or certificate of courses in  
 9 Optometry; such record shall also show whether such applicant was rejected or  
 10 licensed and said book and register shall be *prima facie* evidence of all mat-  
 11 ters required to be kept therein. No applicant shall be rejected without being  
 12 given an opportunity of appearing before the Board in person or by attorney.  
 13 It shall be the duty of said Board to meet at least semi annually at such time and  
 14 place as it shall designate, to examine applicants, to practice Optometry in this  
 15 State, and shall grant license to such applicants as shall satisfactorily pass the ex-  
 16 amination prescribed by said Board, provided said applicants are of good moral  
 17 character, are graduates of some recognized college of Optometry, requiring five  
 18 weeks of personal attendance before graduation in the study of the following sub-  
 19 jects: Anatomy of the Eye, Functions and Nerve supplies of the different parts,  
 20 Retinoscopy and Ophthalmoscopy, the Trial Case and how to use it, Rules for  
 21 Transposition, Light Wave Theory, Lens and how to cement Bifocals, Instru-  
 22 ments and their use and Frame Fitting.

Sec. 3. The Board shall prescribe an examination which shall include the following subjects, namely: Anatomy of the Eye, Function and Nerve supplies of the different parts, Retinoscopy and Ophthalmoscopy, the Trial Case and how to use it, Rules for Transposition, Light Wave Theory, Lens and how to cement Bifocals, Instruments and their uses, Optical Jurisprudence, Principles and Practice of Optometry and such subjects as the Board may direct. In each of the subjects named the applicant shall pass a minimum grade of seventy (70) per cent and a general average for the entire examination of not less than seventy five (75) per cent. After examination as hereinbefore provided the Board shall, if it find the applicant qualified grant a license to said applicant to practice Optometry, which license after the payment of the fees as hereinafter provided, shall be signed by all members of the Board and attested by the secretary and seal of the Board. The fee for examination and for certificate shall be as follows: Ten (\$10.00) dollars for examination and five (\$5.00) dollars for certificate, if issued. Such fee or fees shall be paid to the treasurer of the Board toward defraying any proper and reasonable expenses of the Board.

Sec. 4. Any person within thirty days after the organization of the Board holding a diploma from a recognized college of Optometry, requiring a personal attendance as above set forth, can upon presenting such diploma, obtain an Optician's certificate: *Provided*, He or she files with the Board satisfactory proof setting forth that he or she is a graduate of a reputable college of Optometry; that he or she is of good moral character and that he or she is in good standing in his or her profession, which upon the payment of five (\$5.00) dollars receive an Optician's certificate from the Board without an examination: *Provided, further*, Any person producing said evidence of having practiced Optometry in any state or territory of the United States for a period of at least three years,

11 who shall personally appear and present a certified copy of certificate of regis-  
12 tration or license which has been issued to said applicant in another state or  
13 territory in the Union or of other countries where the rules for registration  
14 shall be deemed by the Board equivalent by this of this State, shall be entitled  
15 to receive a certificate to practice Optometry in this State, upon the presenta-  
16 tion of a diploma granted by a recognized college of Optometry to the Board and  
17 the payment of registration fee of fifteen (\$15.00) dollars.

Sec. 5. A recognized or reputable school under this Act shall be one which  
2 requires a personal attendance of at least five weeks or thirty days and shall  
3 teach the following subjects: Anatomy of the Eye, Function and Nerve supplies  
4 of the different parts, Retinoscopy and Ophthalmoscopy, the Trial Case and  
5 how to use, Rules for Transposition, Light Wave Theory, Lens and how to Ce-  
6 ment Bifocals, Instruments and their uses and Frame Fitting.

Sec. 6. Every person holding a license to practice Optometry from the  
2 Optical State Board of Examination and Registration shall have it recorded  
3 in the office of the county clerk in which he practices, and the date of recording  
4 shall be endorsed thereon. Any person practicing in another county shall  
5 record the license in like manner in the county in which he or she practices.  
6 The county clerk shall keep in a book provided for the purpose a complete list  
7 of all opticians' certificates recorded by him with the date of issue of the  
8 license.

Sec. 7. On the thirtieth day of September of each year, the Illinois State  
2 Optical Board shall make a report of its proceeds, showing all items of receipts  
3 from all its sources and disbursements for all licenses issued, all funds in the  
4 treasury on said date which have been received in the enforcement of this Act,  
5 shall be paid into the State Treasury.



Sec. 8. Each member of the Board shall receive a compensation of five  
2 (\$5.00) dollars per diem for the time actually spent by him in discharging his  
3 duties as a member of the Board, together with his necessary expenses, pro-  
4 vided the amount received for examination and certificates under this Act be  
5 sufficient to pay the same, but if the State Auditor shall at any time, find upon  
6 investigation that said sums are not sufficient to meet the per diem and expenses  
7 as herein provided, then he shall allow the expenses in full and such percent-  
8 age upon the per diem that the expenses to the State shall not exceed the re-  
9 ceipts under the provisions of this Act.

Sec. 9. Any person in this State who shall practice or attempt to practice  
2 Optometry, or who shall sell or offer for sale, barter in, or give away as a  
3 premium with any article of merchandise any spectacles, eye glasses, or opti-  
4 cal devices of any kind, which may be used to benefit the vision or correct the  
5 error of refraction of the human eye, or who shall hold himself or herself  
6 out to the public as an optician or specialist in any of the branches of the re-  
7 spective schools of Optometry, or who shall use the title, Doctor of Optics, or  
8 any letters or designation meaning any of the titles enumerated in this section  
9 without complying with the provisions of this Act shall be guilty of a misde-  
10 meanor and upon conviction thereof shall be fined not less than fifty (\$50.00)  
11 dollars nor more than five hundred (\$500.00) dollars for each offense or by im-  
12 prisonment in the county jail for a term not exceeding three months or by both  
13 such fines and imprisonment.

Sec. 10. All acts and parts of acts inconsistent with this Act are hereby re-  
2 pealed.



1 Introduced by Mr. Harris, February 13, 1907.

2 Read by title, ordered printed and referred to Committee on Appropriations.

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## A BILL

For an act to make an appropriation for the ordinary expenses of the Western Illinois State Normal School, at Macomb.

SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* That there be, and is hereby, appropriated  
3 to the Western Illinois State Normal School for ordinary operating expenses  
4 the sum of sixty thousand dollars (\$60,000.00) per annum.

5 2. For additions to the library the sum of three thousand dollars (\$3,000)  
6 per annum.

7 3. For the care and improvement of grounds the sum of three thousand  
8 dollars (\$3,000.00) per annum.

9 4. For repairs on building and power house, the sum of two thousand dol-  
10 lars (\$2,000.00) per annum.

11        5. For expenses of trustees, the sum of five hundred dollars (\$500.00) per  
12 annum.

Sec. 2. That there be, and is hereby appropriated to the said Western Ill-  
2 inois State Normal School, the specific sum of five thousand dollars (\$5,000.00)  
3 for paving the east driveway and for additional concrete walks.

Sec. 3. The Auditor of Public Accounts is hereby authorized and required to  
2 draw his warrant on the Treasurer for the sums hereby appropriated, payable  
3 out of any money in the treasury not otherwise appropriated, upon the order of  
4 the board of trustees of said State Normal School; signed by the president and  
5 attested by the secretary of said board and with the corporate seal of the school:

6        *Provided*, That no part of said sum shall be due and payable to said Nor-  
7 mal School until satisfactory vouchers in detail, approved by the Governor,  
8 shall be filed with the Auditor for all previous expenditures incurred by the said  
9 Normal School on account of the appropriations hitherto made: *And Provided*,  
10 *further*, That vouchers shall be taken in duplicate, and original or duplicate  
11 vouchers shall be forwarded to the Auditor of Public Accounts for the expendi-  
12 ture of the sums appropriated in this Act.

Introduced by Mr. Hearn, February 13, 1907.

Read first time, ordered printed and to a second reading without reference.

## A BILL

For an act to amend section nine of an act entitled "An Act to extend the jurisdiction of county courts and to provide for the practice thereof, to fix the time for holding the same, and to repeal an act therein named," approved March 26, 1874, and in force July 1, 1874, and as amended by an act approved May 13, 1879, and in force July 1, 1879.

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That section nine (9) of an act entitled  
3 "An Act to extend the jurisdiction of county courts and to provide for the prac-  
4 tice thereof, to fix the time for holding the same, and to repeal an act therein  
5 named," approved March 26, 1874, in force July 1, 1874, and as amended by an  
6 act approved May 13 and in force July 1, 1879, be, and the same is hereby  
7 amended to read as follows, to-wit:

Sec. 9. Adams, *first Monday in January, May and August.*



Sec. 2. All acts and parts of acts in conflict with this Act are hereby re-  
pealed.

Sec. 3. WHEREAS, An emergency exists, therefore it is enacted that this Act  
be in force and effect from and after its passage.

Introduced by Mr. Kerrick, February 13, 1907.

Read by title, ordered printed and referred to Committee on Appropriations.

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## A BILL

For an act to provide for the office of State Entomologist, to define its duties, and to extend its equipment.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That it shall be the duty of the State En-  
3 tomologist to investigate, by himself or by his assistants, all insects dangerous  
4 or injurious in this State to agricultural and horticultural plants and crops, to  
5 live stock, to nursery trees and plants, to the products of the truck farm and the  
6 vegetable garden, to the shade trees and other ornamental vegetation of cities  
7 and towns, to the products of mills and the contents of warehouses, and to all  
8 other valuable property, and to investigate all insects in this State injurious or  
9 dangerous to the public health; and he shall conduct experiments with methods  
10 for the prevention, arrest, abatement and control of injuries to person and proper-  
11 ty by such insects, giving no preference in his investigations to one part of the

12 State over another. He shall, further, instruct the people of the State, by lec-  
 13 ture and demonstration as may in his judgment be practicable and necessary, in  
 14 the best methods of preserving and protecting their property and their health  
 15 against injuries by insects; and he shall prepare, from time to time, articles  
 16 on the injurious and beneficial insects of Illinois, containing the results of his  
 17 researches, which articles shall be published as bulletins of the Agricultural  
 18 Experiment Station, and shall also be issued biennially in an edition of one thou-  
 19 sand copies as his official report. He shall present to the Governor biennially an  
 20 executive report describing the operations and publications of his office, together  
 21 with a financial statement in detail.

Sec. 2. To carry out the provisions of this Act there is hereby appropriat-  
 2 ed the sum of twenty-five thousand dollars (\$25,000) per annum: *Provided*,  
 3 That five thousand dollars (\$5,000) per annum, or so much thereof as may be  
 4 necessary, shall be set aside for expenses incurred by the State Entomologist  
 5 under the "Act to prevent the introduction and spread in Illinois of the San  
 6 Jose scale and other dangerous insects and contagious diseases of fruits:" *And*,  
 7 *Provided, further*, That the work outlined in this section shall be carried out on  
 8 lines agreed upon by the State Entomologist and an advisory committee to con-  
 9 sist of the Director of the Agricultural Experiment Station, two members to be  
 10 appointed by the Illinois Farmers' Institute, and two members to be  
 11 appointed by the Illinois State Horticultural Society.

Sec. 3. The Advisory Committee herein named shall meet at such times and  
 2 places as may be designated by the State Entomologist or upon the request  
 3 of a majority of the committee. They shall serve without compensation excep-  
 4 for expenses, to be paid out of the appropriation herein made.

Sec. 4. The Auditor of Public Accounts is hereby authorized and directed to  
2 draw his warrant on the State Treasurer for the sums herein appropriated upon  
3 the order of the Chairman of the Board of Trustees of the University of Illinois,  
4 countersigned by its Secretary, and with the corporate seal of said University,  
5 and no installment subsequent to the first shall be paid by the Treasurer, nor war-  
6 rant drawn therefor, until detailed accounts showing expenditures of the pre-  
7 ceding installment have been filed with the Auditor of Public Accounts.





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- 1 Introduced by Mr. Levere, February 13, 1907.
  - 2 Read by title, ordered printed and referred to Committee on Judicial Department  
and Practice.

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## A BILL

For an act to amend section 5 of an act entitled “An Act to revise the law in relation to paupers,” approved March 23, 1874, in force July 1, 1874.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That section 5 of an act entitled “An Act  
3 to revise the law in relation to paupers.” approved March 23, 1874, in force July  
4 1, 1874, be and the same hereby is amended to read as follows:

Sec. 5. At least *three* days’ notice of such application shall be given to the  
2 defendant, by summons, requiring him to appear and answer the complaint.



- 1 Introduced by Mr. Lewis, February 13, 1907.  
2 Read by title, ordered printed and referred to Committee on Insurance.

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## A BILL

For an act to amend section 8 of an act entitled, "An Act to revise the law in relation to Township Insurance Companies. (Approved March 24, 1874; in force July 1, 1874. As amended June 10, 1887; in force July 1, 1887.)

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That section 8 of an act entitled "An  
3 Act to revise the law in relation to Township Insurance Companies, (approved  
4 March 24, 1874, in force July 1, 1874; as amended June 10, 1877, in force July  
5 1, 1887), be and the same is hereby amended to read as follows:

6 Such companies may issue policies only on detached dwellings, barns (ex-  
7 cept livery, boarding and hotel barns) and other farm buildings, school houses  
8 and churches, and such property as may be properly contained therein; also  
9 other property on the premises and owned by the insured, also live  
10 stock, hay and grain in the stack on the premises of the insured, and any-

11 where in the territory of the company, for any time not exceeding five (5) years,  
12 and not to extend beyond the limited duration of the charter, and for an amount  
13 not to exceed *six thousand dollars* on any one risk. All persons so insured  
14 shall give their obligations to the company, binding themselves, their heirs and  
15 assigns to pay their pro rata share to the company of the necessary expenses,  
16 and of all losses by fire lightning, which may be sustained by any member thereof  
17 during the time for which their respective policies are written, and they shall  
18 also, at the time of effecting the insurance, pay such percentage in cash, and such  
19 other charge as may be required by the rules and by-laws of the company.

- 1 Introduced by Mr. Link, February 13, 1907.  
2 Read by title, ordered printed and referred to Committee on Insurance.

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## A BILL

For an act to amend section 11 of an act to organize and regulate county fire insurance companies. (Approved May 11, 1901, in force July 1, 1901.)

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That section 11 of an act entitled “An  
3 Act to organize and regulate county fire insurance companies,” (approved May  
4 11, 1901, in force July 1, 1901) be amended to read as follows:

Sec. 11. Every member of such company who may sustain loss or damage  
2 by fire or lightning shall immediately notify the president of such company, or in  
3 his absence, the secretary thereof, stating the amount of damage or loss claimed,  
4 and if not more than five hundred dollars (\$500), then the president and secre-  
5 tary shall proceed to ascertain the amount of such damage or loss, and proceed  
6 to adjust the same. If the claim for damage or loss shall be an amount greater  
7 than five hundred dollars (\$500), then the president of such company, or in case



8 of his absence then the secretary thereof, shall forthwith appoint a committee of  
9 not less than three (3) disinterested members of the company to ascertain the  
10 amount of such damage or loss, and the committee thus appointed shall report  
11 the amount of such damage or loss to the directors of such company, who shall be  
12 convened by the president, or in his absence, by the secretary, and the directors  
13 shall approve or reject the report of such committee. If, in either case, there is  
14 a failure of the parties to agree upon the amount of such damage or loss, or the  
15 directors reject the report of the committee, the claimant shall appeal to the judge  
16 of the county in which the office of the company is located, whose duty it shall be  
17 to appoint three (3) persons as a committee of reference, who shall have full au-  
18 thority to examine witnesses, and to determine all matters in dispute, and shall  
19 make an award in writing to the president of such company, and such award shall  
20 be final. The pay of said committee shall be two dollars (\$2) per day for each  
21 day's service so rendered, and four (4) cents for each mile necessarily traversed  
22 in the discharge of their duties, which shall be paid by the claimant, unless the  
23 award of said committee shall exceed the sum offered by the company in liquida-  
24 tion of such loss or damage, in which case said expenses shall be paid by the com-  
25 pany. All adjusting committees shall have the power to administer oaths.  
26 examine witnesses and take acknowledgments.

1 Introduced by Mr. Link, February 13, 1907.

2 Read by title, ordered printed and referred to Committee on Insurance.

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## A BILL

For an act regulating the amount of insurance any county or township mutual fire insurance company now organized or hereafter organized under the laws of the State may insure.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That any county or township mutual fire  
3 insurance company now organized or hereafter to be organized under the laws of  
4 the State of Illinois, shall be authorized to assume a liability not exceeding  
5 \$6,000.00 on any one risk.

Sec. 2. All acts or parts of acts in conflict herewith are hereby repealed.



- 1 Introduced by Mr. Lindly, February 13, 1907.  
2 Read by title, ordered printed and referred to Committee on Appropriations.

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## A BILL

For an Act making an appropriation for the Illinois Farmers' Institute.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That there be and hereby is appropriated  
3 to the Illinois Farmers' Institute, the following sums, to-wit: For clerk hire,  
4 stenographer, expressage, postage, office expenses, salary of superintendent, *per*  
5 *diem* and expenses of assistants; for the expenses of the officers and members of  
6 the board of directors, for the expenses of the State institute meeting and for  
7 the incidental expenses in promoting the farmers' institute work in the State,  
8 the sum of fifteen thousand dollars (\$15,000) per annum for the fiscal years be-  
9 ginning July 1, 1907 and 1908. The Secretary of State shall provide all needful  
10 books, paper, stationery and printing required, on requisition by the secretary  
11 of the Illinois Farmers' Institute.

Sec. 2. For the purchase of books for, and the maintenance and manage-  
2 ment of the Illinois Farmers' Institute Circulating Libraries, the unexpended bal-

3   ance of the former appropriation, eight hundred fifty-two dollars and forty-six  
4   cents (\$852.46) is hereby reappropriated for the fiscal years beginning July 1,  
5   1907 and 1908.

Sec. 3. For the purpose of holding one or more Farmers' Institute meet-  
2   ings in the various counties in the State, the sum of ten thousand two hundred  
3   dollars (\$10,200) per annum for the fiscal years beginning July 1, 1907 and 1908.

Sec. 4. The Auditor of Public Accounts is hereby authorized and directed  
2   to draw his warrant for the sums herein specified and deliver the same to the  
3   treasurer of the Illinois Farmers' Institute upon his presenting voucher for  
4   same, signed by the president and secretary of said Illinois Farmers' Institute,  
5   and the State Treasurer shall pay the same out of any money in the State Treas-  
6   ury not otherwise appropriated.



Introduced by Mr. Lindly, February 13, 1907.

Read by title, ordered printed and referred to Committee on Appropriations.

## A BILL

for an act to extend the equipment and increase the instruction in the College of Agriculture of the University of Illinois and to provide for the extension of the Agricultural Experiment Station and to make appropriations therefor:

(With the intent of equipping said College and Station for instruction and investigation of the highest order along principal lines of agriculture.)

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That it shall be the duty of the College of Agriculture to give thorough and reliable instruction in the economic production of crops; the treatment of the different soils of the State in such manner as to secure the largest returns from each and without impairing its fertility; the principles of breeding and management of live stock, including animal diseases and a thorough knowledge of the various breeds and market classes; the econ-

8 omic and sanitary production of dairy goods, and the best methods of meeting  
 9 existing market demands and of extending and developing trade in the agri-  
 10 cultural productions of the State. That it shall be the further duty of said col-  
 11 lege to provide and maintain such live stock specimens, laboratories, appara-  
 12 tus and other material equipment, together with teachers of such experience  
 13 and skill as shall make such instruction effective. That to carry out the provis-  
 14 ions of this section, there be, and hereby is, appropriated the sum of seventy-five  
 15 thousand dollars (\$75,000) annually for the years 1907 and 1908: *Provided*,  
 16 That the disposition of the funds from time to time to carry out the intent of  
 17 this Act shall be along lines agreed upon by the dean of the College of Agricul-  
 18 ture and an advisory committee consisting of the presidents of the following state  
 19 agricultural organizations, to-wit: The Illinois Farmers' Institute, the Illinois  
 20 Live Stock Breeders' Association, the Illinois State Horticultural Society, the  
 21 Illinois Corn Growers' Association and the Illinois Dairymen's Association.

Sec. 2. That it shall be the duty of the Agricultural Experiment Station to  
 2 conduct investigations calculated to develop the beef, pork, mutton, wool and  
 3 horse producing interests of the State, and especially to devise and conduct feed-  
 4 ing experiments intended to determine the most successful combination of stock  
 5 foods, particularly in Illinois grains and forage crops, and to discover the most  
 6 economical and successful methods of maintaining animals and fitting them for  
 7 the markets; to investigate live stock conditions, both at home and abroad, in  
 8 so far as they affect market values, and to publish the results of such experi-  
 9 ments and investigations. That to carry out the provisions of this section there  
 10 be, and hereby is, appropriated the sum of forty thousand dollars (\$40,000) an-  
 11 nually for the years 1907 and 1908: *Provided*, That the work undertaken and  
 12 outlined in this section shall be carried out on lines to be agreed upon by the di-

13 rector of the Agricultural Experiment Station and an advisory committee of  
 14 five to be appointed by the Illinois Live Stock Breeders' Association.

Sec. 3. That it shall be the duty of the Agricultural Experiment Station  
 2 to conduct experiments in the several sections of the State, in order to discover  
 3 the best methods of producing corn, wheat, oats and clover on the different soils  
 4 and under the various climatic conditions of the State, and for the purpose of  
 5 improving the varieties grown for special purposes, etc., and that, to carry out  
 6 the provisions of this section, there be, and hereby is, appropriated the sum of  
 7 fifteen thousand dollars (\$15,000) annually for the years 1907 and 1908: *Provid-*  
 8 *ed*, That the work outlined in this section shall be carried out on lines to be  
 9 agreed upon by the director of the Agricultural Experiment Station and an ad-  
 10 visory committee of five to be appointed as follows: Two by the Illinois Corn  
 11 Growers' Association, two by the Illinois Seed Corn Breeders' Association and  
 12 one by the Illinois Grain Dealers' Association.

Sec. 4. That it shall be the duty of the Agricultural Experiment Station  
 2 to make chemical and physical examination of the various soils of the State, in  
 3 order to identify the several types and determine their character; to make and  
 4 publish an accurate survey with colored maps in order to establish the location,  
 5 extent and boundaries of each; to ascertain by direct experiment in laboratory  
 6 and field what crops and treatment are best suited to each; whether the present  
 7 methods are tending to best results and whether to the preservation or reduc-  
 8 tion of fertility, and what rotations and treatments will be most effective in in-  
 9 creasing and retaining the productive capacity of Illinois lands; and that, to  
 10 carry out the provisions of this section, there be, and hereby is, appropriated the  
 11 sum of forty thousand dollars (\$40,000) for the year 1907, and the sum of fifty  
 12 thousand dollars (\$50,000) for the year 1908: *Provided*, That the work outlined

13 in this section shall be carried out on lines to be agreed upon by the director of  
14 the Agricultural Experiment Station and an advisory committee of five to be  
15 appointed by the Illinois Farmers' Institute.

Sec. 5. That it shall be the duty of the Agricultural Experiment Station to  
2 discover and demonstrate the best methods of orchard treatment in the fruit sec-  
3 tions of the State, the culture of small fruits and vegetables, and the most effec-  
4 tive remedies for insect and fungous enemies to fruits and vegetables; and  
5 that, to carry out the provisions of this section, there be, and hereby is, appro-  
6 priated the sum of twenty-five thousand dollars (\$25,000) annually, for the  
7 years 1907 and 1908: *Provided*, That the work undertaken and outlined in this  
8 section shall be carried out on lines to be agreed upon by the director of the Ag-  
9 ricultural Experiment Station and an advisory committee of five to be appoint-  
10 ed by the Illinois State Horticultural Society.

Sec. 6. That it shall be the duty of the Agricultural Experiment Station  
2 to investigate the dairy conditions of the State; to discover and demonstrate  
3 improved methods of producing and marketing wholesale milk and other dairy  
4 products, and to promote the dairy interests of the State by such field assistance  
5 in the dairy sections upon farms and in the creameries and factories as shall tend  
6 to better methods and more uniform products; and that, to carry out the provis-  
7 ions of this section, there be, and hereby is, appropriated the sum of twenty-five  
8 thousand dollars (\$25,000) annually for the years 1907 and 1908: *Provided*, That  
9 the work undertaken and outlined in this section shall be carried out on lines to  
10 be agreed upon by the director of the Agricultural Experiment Station and an  
11 advisory committee of five to be appointed by the Illinois State Dairyemen's As-  
12 sociation.



Sec. 7. That the committees representing the several associations herein  
2 named shall meet at such times and places as may be designated by the dean of  
3 said college or the director of the Agricultural Experiment Station, or upon the  
4 request of a majority of the committee; that they shall serve without compensa-  
5 tion except for expenses, to be paid out of the respective funds, and that said  
6 committee shall make to their respective associations at their annual meetings,  
7 full reports of the work in progress under the provisions of this Act.

Sec. 8. That the Auditor of Public Accounts is hereby authorized and di-  
2 rected to draw his warrant on the State Treasurer for the sums herein appropri-  
3 ated, upon the order of the chairman of the board of trustees of the University of  
4 Illinois, countersigned by its secretary and with the corporate seal of said uni-  
5 versity, and no installment subsequent to the first shall be paid by the Treasurer,  
6 nor warrant drawn therefor, until detailed accounts, showing expenditures of  
7 the preceding installment have been filed with the Auditor of Public Accounts:  
8 *Provided*, That no part of the funds herein appropriated, except in section 1  
9 shall be used for salaries of teachers: *And Provided, further*, That any revenue  
10 arising from the operations of the several sections of this Act shall revert to the  
11 respective funds from which obtained for further extension of the work out-  
12 lined.





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- 1 Introduced by Mr. Luke, February 13, 1907.
  - 2 Read by title, ordered printed and referred to Committee on Penal and Reformatory Institutions.

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## A BILL

For an act in relation to the sale of articles manufactured or finished in penal or reformatory institutions.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That it shall be unlawful to sell, offer for  
3 sale, or expose for sale, any article or articles which has or have been manufac-  
4 tured or finished in any penal or reformatory institution, or by any prisoner or  
5 convict in the State of Illinois, unless such article or articles has or have been  
6 prominently and conspicuously marked, stamped, printed, or labeled with the  
7 words "Prison Made."

Sec. 2. That it shall be unlawful to sell, offer for sale, or expose for sale,  
2 any article or articles which has or have been manufactured or finished in any  
3 penal or reformatory institution, or by any prisoner or convict, unless such article

4 or articles has or have been prominently and conspicuously marked, stamped, prin-  
5 ted or labeled with the words "Prison Made."

Sec. 3. The marking, stamping or printing shall in all cases, where the  
2 nature of the article will permit, be placed upon the same, and only where such  
3 marking, stamping or printing is impracticable shall a label be used, and where a  
4 label is used it shall be in the form of a paper tag on which shall be printed the  
5 words "Prison Made," which shall be securely attached by wire to each article.

Sec. 4. It shall be unlawful to remove or deface such marking, stamping,  
2 printing or label until the article or articles bearing the same shall have been sold  
3 to the consumer or user.

Sec. 5. Any person, firm or corporation violating the provisions of this Act,  
2 or any part thereof, shall be deemed guilty of a misdemeanor, and upon convic-  
3 tion thereof shall be fined not less than twenty-five dollars (\$25.00) nor more than  
4 one hundred dollars (\$100.00) for each and every offense.

Sec. 6. It shall be the duty of the State's Attorneys of the State in their res-  
2 pective counties to diligently prosecute any and all violations of this Act.

Introduced by Mr. McRoberts, February 13, 1907.

Read by title, ordered printed and referred to Committee on Railroads.

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## A BILL

For an act establishing a maximum rate of charge for the carriage of passengers by railroads or transportation companies doing business within the State and prescribing penalties for the violation thereof.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That the maximum rate of charge for  
3 the carriage of passengers within this State, by railroads, or transportation  
4 companies doing business within the State of Illinois, shall not be in excess of  
5 the following rates:

6 For all persons of fifteen (15) years of age and upward, not exceeding two  
7 cents per mile; for all persons ten (10) years of age and under fifteen (15)  
8 years of age, one (1) cent per mile; for all persons under ten (10) years of age  
9 whose care and custody shall be in charge of such railroads, or transportation  
10 companies and unaccompanied by parent or guardian, one (1) cent per mile,

11 and all persons under ten (10) years of age accompanied by parent or guardian,  
 12 shall be carried free of charge: *Provided, however,* That the Board of Railroad  
 13 and Warehouse Commissioners of this State, shall, upon the petition of any rail-  
 14 road, or transportation company, and upon satisfactory proof to said Board by  
 15 any such railroad, or transportation company, that it is not earning a reasonable  
 16 income within this State upon the money actually invested for the construction,  
 17 maintenance, equipment and operation of its railway line, or lines, within this  
 18 State, whether owned, leased, controlled, or operated, by any such railroad, or  
 19 transportation company doing business within this State, have power to exempt  
 20 any such railroad, or transportation company, from the provisions of this section,  
 21 such exemption by said Board of Railroad and Warehouse Commissioners to be  
 22 for a period not to exceed one (1) year at any one time from the date of any  
 23 such order made by said board.

Sec. 2. Any railroad, or transportation company, doing business within  
 2 this State, who shall demand, or charge, for the carriage of any passenger, a  
 3 rate in excess of the charge above limited for the carriage, or transportation, of  
 4 any passenger, or passengers, on its railway line, or lines, within the State of  
 5 Illinois, shall, upon conviction thereof, be subject to a fine of not less than two  
 6 hundred dollars (\$200.00), nor more than one thousand dollars (\$1,000.00) for  
 7 each and every offense, to be recoverable in any court of competent jurisdiction,  
 8 and shall, in addition thereto, be liable in double the amount to the passenger, or  
 9 passengers, charged in excess of the rates above specified, to be recoverable in  
 10 any court of competent jurisdiction on complaint of the person paying such ex-  
 11 cess fare.

Sec. 3. This Act shall apply to all railroad and transportation companies  
 2 doing business within this State, whether operated by steam, electric motive pow-



er or otherwise, unless its provisions be suspended as provided in section one (1) of this Act: *Provided, however,* That it shall not be so construed as to be held to apply to electric, cable, surface railway companies, elevated ways, or conveyers, operating and doing business under special license granted by any municipal corporation within this State.

Sec. 4. The penalties provided for in this Act may be recovered in an action of debt in the name of the People of the State of Illinois, before any court of competent jurisdiction of any county in or through which any such railroad or transportation company may be doing business within this State, and service of process may be had in like manner as now provided by law for service upon corporations doing business within this State.

Sec. 5. It shall be the duty of the State's attorney of any county of this State, to whom complaint is made, or of which he may have knowledge, to prosecute all violations of the provisions of this Act. All fines collected for a violation of the provisions of this Act shall be paid into the county treasury of the county in which such action may be brought and judgment had, less ten (10) per cent of the sum collected, which may be retained by the State's attorney of such county as compensation for his services in the prosecution of all such actions. The court in which any such conviction is had shall impose such fine within the limits herein fixed as in its judgment will be just and proper, and shall give judgment thereon and for costs, which judgment shall be a lien from the date thereof, upon all the estate, both real and personal, of the defendant therein, until the full amount of such judgment and costs of suit, shall be satisfied and paid, and shall also award execution thereon if said judgment remain unsatisfied for a period of thirty (30) days after the entry thereof, not appealed from, or vacated by the court.

Sec. 6. In the event such judgment shall remain in force and effect and unsatisfied for a period of thirty (30) days from the date of entry of the same, and no appeal therefrom be perfected, it shall be the duty of the State's attorney to apply to the proper officer of the court in which such judgment is entered for execution thereon, which may be directed to the proper officer of any county of the State in which the defendant may have property out of which said judgment may be enforced and fully satisfied.

Introduced by Mr. McRoberts, February 13, 1907.

Read by title, ordered printed and referred to Committee on Railroads.

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## A BILL

or an act to prohibit the giving of passes or other free transportation by all common carriers doing business within the State of Illinois, and prescribing penalties for a violation thereof.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* No common carrier of passengers for hire shall after January 1, 1908, either directly or indirectly, issue or give any free pass, free ticket, or free transportation, or sell any special low rate ticket to any person, or persons, except as hereinafter provided, which shall entitle any person to be carried on any common carrier line, or ways within this State, including the navigable waters within this State.

Sec. 2. The term "common carrier," as used in this Act, shall mean and include, steam railroads, electric railroads, elevated ways and conveyers of passengers, street surface railroads, express companies, sleeping car companies, steamboats, or other common carriers of passengers for hire.

Sec. 3. Any common carrier violating the provisions of this Act shall be  
 2 deemed guilty of a misdemeanor, and for each offense shall on conviction be  
 3 subject to a penalty of not less than two hundred (\$200.00) dollars, nor more  
 4 than one thousand (\$1,000.00) dollars for each and every offense, and any person  
 5 other than the persons excepted in this Act, who uses any such free pass, free  
 6 ticket, or free transportation, shall be subject to a like penalty.

Sec. 4. This Act shall not be so construed as to prohibit, or prevent, any  
 2 such common carrier from issuing, or giving, any free ticket, free pass, or trans-  
 3 portation, to its regular employees and members of their families depending upon  
 4 them for support, or to its officers, agents, surgeons, physicians, or attorneys, to  
 5 indigent, destitute and homeless persons, and to such persons when transported  
 6 by charitable societies, or hospitals, and their necessary agents and attendant  
 7 employed in such transportation; nor to the necessary care-takers of live stock  
 8 poultry and fruit, to employees on sleeping cars, express cars, and to linemen  
 9 of telegraph companies, to railway mail service employees, when engaged in their  
 10 duties as such, to baggage agents when engaged in their duties as such, to new  
 11 boys on trains, or to witnesses attending any legal investigation in which the  
 12 common carrier is directly interested, to persons injured in wrecks on the carrier  
 13 line, and physicians and nurses attending such persons, the State Board of Rail-  
 14 road and Warehouse Commissioners, and the secretary of said board. Nor shall  
 15 this Act be so construed as to prohibit, or prevent any such common carrier  
 16 from running free trains, or conveyances, for the transportation of passengers  
 17 from and to any point on the carrier line, or lines, within this State, at any  
 18 time it may elect to do so, for the accommodation of the general traveling public.

Sec. 5. The penalties provided for in this Act may be recovered in an action

2 of debt in the name of the People of the State of Illinois, before any Court of  
3 competent jurisdiction of any county in, or through which such common car-  
4 rier may be engaged in the business of a common carrier, and service of process  
5 may be had in like manner as now provided by law for service upon corporations  
6 doing business in this State.

Sec. 6. It is hereby made the duty of the State's Attorney of any county  
2 of this State, to prosecute all violations of the provisions of this Act, upon com-  
3 plaint of any person having knowledge of such violation, or of which he may  
4 have knowledge. All fines, or penalties, recovered hereunder, shall be paid into  
5 the County Treasury of the county in which such action may be brought and  
6 judgment recovered.





Introduced by Mr. McRoberts, February 13, 1907.

Read by title, ordered printed and referred to Committee on Elections.

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## A BILL

an act to amend section 24 of an act entitled, "An Act to provide for the printing and distribution of ballots at public expense and for the nomination of candidates for public office to regulate the manner of holding elections and to enforce the secrecy of the ballot," approved June 22, 1891, in force July 1, 1891.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 24 of an act entitled, "An Act to provide for the printing and distribution of ballots at public expense and for the nomination of candidates for public office to regulate the manner of holding elections and to enforce the secrecy of the ballot," approved June 22, 1891, in force July 1, 1891, be amended so as to read as follows:

Any voter who may declare upon oath that he cannot read the English language, shall, upon request, be assisted in marking his ballot by two of the election officers of different political parties, to be selected from the judges and

10 clerks of the precinct in which they are to act, to be designated by the judges of  
11 election of each precinct at the opening of the polls. Such officers shall mark the  
12 ballot as directed by the voter and shall thereafter give no information regarding  
13 the same. The clerk of election shall enter upon the poll list after the name  
14 of any elector who received such assistance in marking his ballot a memorandum  
15 of the fact: *Provided*, That any person who by reason of want of sight or other  
16 physical disability is unable to mark his own ballot shall be permitted to take  
17 one person to be selected by himself into the booth with him to assist him in  
18 marking his ballot. And no election officer shall accompany such voter into the  
19 booth, unless the voter shall request his assistance. Intoxication shall not be re-  
20 garded as a physical disability and no intoxicated person shall be entitled to  
21 assistance in marking his ballot.

- 1 Introduced by Mr. Murray, February 13, 1907.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

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## A BILL

For an act requiring contracts or agreements for compensation or commissions for the sale or exchange of real estate to be in writing.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That no action shall be brought whereby  
3 to charge any person upon any contract or agreement for compensation or com-  
4 mission for the sale or exchange of real estate unless such contract or agreement  
5 shall be in writing and signed by the party to be charged therewith.





- 1 Introduced by Mr. Oglesby, February 13, 1907.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

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## A BILL

For an act making the larceny of poultry a felony; providing a punishment therefor, and to provide for the punishment of persons for buying, receiving or aiding in concealing stolen poultry, or poultry obtained by burglary, knowing the same to have been so obtained.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That whoever feloniously takes or steals  
3 any poultry or domestic fowl or fowls, shall be deemed guilty of a felony, and  
4 shall upon conviction thereof be imprisoned in the penitentiary not less than one  
5 nor more than ten years.

Sec. 2. Every person, who for his own gain, or to prevent the owner from  
2 again possessing his property, shall buy, receive or aid in concealing any stolen  
3 poultry or domestic fowl or fowls, or any poultry or domestic fowl or fowls ob-  
4 tained by burglary, knowing the same to have been so obtained, shall be imprisoned  
5 in the penitentiary not less than one nor more than ten years,



- 1 Introduced by Mr. Pervier, February 13, 1907.
- 2 Read by title, ordered printed and referred to Committee on Education.

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## A BILL

For an act to increase the efficiency of country school districts by providing for the free conveyance of children to and from school in certain cases, and authorizing the use of the public school funds therefor.

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WHEREAS, In sixty districts of this State common schools were maintained last year for fewer than five children; in 439 districts schools were maintained for fewer than ten children, and in 1,138 districts common schools were maintained for fewer than fifteen children, thereby making the per capita cost of instruction very high and in many cases the efficiency of the school very low; and,

WHEREAS, At the request of the Illinois State Farmers' Institute the Agricultural College of the University of Illinois did collect and publish information relating to the methods, difficulties and advantages of the consolidation of country schools, thereby causing the practicability of the same to be generally discussed at the farmers' institutes, causing a desire, in many localities, to consolidate contiguous small

districts so as to give them the advantages of a larger taxing unit and to enable them to make adequate provision for the instruction of the older children, and to provide for some instruction in the elements of agriculture and the household arts; and,

WHEREAS, The consolidated school with free transportation has proved a success wherever it has been tried, both in increased attendance and in efficiency; and,

WHEREAS, A doubt exists as to the power of school directors under existing laws to provide free conveyance for children to and from school, even in districts so large that it is impracticable for all the children to walk; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
*2 represented in the General Assembly:* That in school districts formed by the  
*3 consolidation of two or more districts in the manner now provided by law, it*  
*4 shall be lawful for and the directors of said districts are hereby authorized out*  
*5 of the public school funds to provide free transportation for children to and*  
*6 from the said school, if so authorized by a majority of the voters at any regular*  
*7 school election in said district.*

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- 1 Introduced by Mr. Schaefer, by request, February 13, 1907.
  - 2 Read by title, ordered printed and referred to Committee on Judiciary.

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## A BILL

For an act relating to and regulating appointees and employees of Courts of Record and of justices and judges thereof.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That no person related to any justice or  
3 judge of any Court of Record in this State, by affinity or consanguinity, within  
4 the degree of first cousin, shall be appointed by such court, justice or judge to,  
5 or be employed by such court, justice or judge in any office or duty in any court  
6 of which such justice or judge may be a member.

Sec. 2. No person related to any justice or judge of any Court of Record  
2 in this State, by affinity or consanguinity, within the degree of first cousin shall,  
3 directly or indirectly be appointed or employed, as a clerk or secretary to any  
4 such justice or judge, when the salary, wages or remuneration of such clerk or  
5 secretary shall directly or indirectly be paid out of any public funds, or public  
6 treasury.



Sec. 3. No clerk, sheriff or bailiff of any Court of Record in this State,  
 2 nor any of their deputies shall be appointed a receiver, trustee, commissioner,  
 3 referee or master in any case in such court, except where such court shall deter-  
 4 mine that special reasons exist therefor, to be assigned in the order of appoint-  
 5 ment.

Sec. 4. No clerk, secretary or employee of any justice or judge of any Court  
 2 of Record in this State, shall be appointed by such Court or by any justice  
 3 or judge thereof, a receiver, trustee, commissioner, referee or master in any case  
 4 in such court.

Sec. 5. No commission or board, or any member thereof, appointed by any  
 2 Court of Record in this State, or by any justice or judge thereof, and no officer  
 3 or employee appointed by any Court of Record in this State, or by any justice  
 4 or judge thereof, shall directly or indirectly, appoint to any office or employ in  
 5 any capacity which pertains to, or is connected in any manner, with the work,  
 6 duties or objects of such commission, board, or such officer or employee, any per-  
 7 son related to any justice or judge of such Court of Record, by affinity or con-  
 8 sanguinity, within the degree of first cousin.

Sec. 6. Any appointment or employment in violation of any of the provis-  
 2 ions of this Act shall be null and void.

Sec. 7. All acts done and performed by any person appointed or employed  
 2 in violation of any of the provisions of this Act, shall be without jurisdiction and  
 3 null and void.

Sec. 8. No person appointed or employed in violation of any of the provis-

2 ions of this Act, shall directly or indirectly, receive, retain or be paid any fee,  
3 expense, commission, wages, salary, compensation or remuneration whatsoever.

Sec. 9. All laws or parts of laws in conflict with this Act are hereby re-  
2 pealed.



- 1 Introduced by Mr. Schaefer, by request, February 13, 1907.
- 2 Read by title, ordered printed and referred to Committee on Judicial Department and Practice,

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## A BILL

For an act to provide for the appointment of a commission to investigate and report to the Legislature means for improving the criminal procedure of this State.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That the Governor is hereby authorized  
3 to appoint a commission consisting of not more than five persons to investigate  
4 and report to the next Legislature on the following points:

5 (a) What changes, if any, should be made in the Constitution and laws of  
6 the State to facilitate a more efficient administration of the criminal laws;

7 (b) Whether, with a view to minimizing delays and discouraging litigation,  
8 a more simplified, expeditious, certain and inexpensive system of criminal pro-  
9 cedure cannot be provided;

10 (c) Whether, without sacrificing any of the substantive rights of the defend-  
11 ant in criminal actions, the privilege of appeal based on technical and immate-  
12 rial errors cannot be restricted to more reasonable limits;

13 (d) In what particulars, if any, do the systems of criminal procedure in  
14 other States and counties possess superior merits and whether the means by  
15 which they have remedied the defects mentioned above are suitable for adoption  
16 in this State.

Sec. 2. The clerical and other expenses of the commission properly inci-  
2 dental to its work, not exceeding one thousand dollars, when approved by the  
3 Governor, shall be paid by the State Treasurer out of any money in the Treas-  
4 ury not otherwise appropriated.



- 1 Introduced by Mr. Schermerhorn, February 13, 1907.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

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## A BILL

For an act to amend section fourteen (14) of "An Act in regard to Garnishment," approved March 9, 1872, in force July 1, 1872, as amended by act approved May 11, 1901, in force July 1, 1901.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That section fourteen (14) of an act in  
3 regard to garnishment as amended by an act approved May 11, 1901, in force  
4 July 1, 1901, be and is hereby amended to read as follows:

5 Section 14. The wages for service of a wage earner, who is the head of a  
6 family and residing with the same, to the amount of ten (\$10.00) dollars per  
7 week shall be exempt from garnishment. All above the sum of ten (\$10.00) dol-  
8 lars per week shall be liable to garnishment.

9 Every employer shall pay to such wage earner such exempt wages not to  
10 exceed the sum of ten (\$10.00) dollars per week of each week's wages earned

11 by him, when due, upon such wage earner making and delivering to his employer,  
12 his affidavit that he is such head of a family and residing with same, notwith-  
13 standing the service of any writ of garnishment upon his employer, and the sur-  
14 plus only above such exempt wages shall be held by such employer to abide the  
15 event of the garnishment suit. If the amount of wages subject to garnishment  
16 shall not equal the cost of the garnishment, whatever remains of cost shall be  
17 paid by the person bringing the garnishment proceedings, and judgment shall be  
18 entered therefor against him, and no judgment for any such deficiency of cost  
19 shall go against the wage earner or the defendant. No employer so served with  
20 garnishment shall in any case be liable to answer for any amount not earned  
21 by the wage earner at the time of the service of the writ of the garnishment.  
22 Before bringing suit a demand in writing shall first be made upon the wage earner  
23 and the employer for the excess above the amount herein exempted, and a copy  
24 of such demand shall be left with him and the employer, having endorsed there-  
25 on the time of service, at least twenty-four hours previous to bringing such suit.  
26 Such notice shall be filed with the justice, or clerk of the court, with the manner  
27 and time of the service of the same endorsed thereon, and the return duly sworn  
28 to before some officer authorized to administer oaths, before it shall be lawful to  
29 issue a summons in such case, or to require an employer to answer in any gar-  
30 nishee proceedings. Any judgment rendered without said demand being served  
31 upon the wage earner, and so proven and filed as aforesaid shall be void. The  
32 excess of wages shall be held by the employer, subject to garnishment by the cred-  
33 itor serving demand, for five (5) days after such service of demand.

- 1 Introduced by Mr. Schermerhorn, February 13, 1907.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

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## A BILL

For an act to make an appropriation for the purchase of a miniature “Battleship Illinois” for Historical Library.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That there be and hereby is appropriated  
3 the sum of seven hundred and fifty dollars (\$750) for the purchase of a miniature  
4 of the “Battleship Illinois” of Captain James D. Sinclair, now on exhibit in the  
5 Illinois Historical Library for the use of said Illinois Historical Library.

Sec. 2. The Auditor of Public Accounts is hereby authorized and directed  
2 to draw his warrant on the Treasurer for the payment of said miniature “Bat-  
3 tleship Illinois” to the said James D. Sinclair on the presentation by him, the  
4 said James D. Sinclair, of said battleship.



- 1 Introduced by Mr. Schermerhorn, February 13, 1907.
- 2 Read by title, ordered printed and referred to Committee on Fraternal Insurance.

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## A BILL

For an act concerning the by-laws governing fraternal beneficiary societies.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That no fraternal beneficiary society or-  
3 ganized under the laws of this State or doing business within the State shall  
4 change an existing by-law or rule or enact any new by-law or rule or in any other  
5 manner change or affect the by-laws or rules governing the affairs or terms of  
6 membership of such society, or existing certificates of membership, unless such  
7 society shall first give each member thirty days' previous notice of the proposed  
8 change and shall also obtain the written consent of a majority of its members.

Sec. 2. That no by-law or rule governing the affairs or members or such  
2 society or existing certificates of membership shall be binding or effective un-



3 less it shall have been first approved by the Insurance Superintendent of the  
4 State of Illinois.

Sec. 3. The invalidity of any section of this Act shall not render invalid  
2 or affect any other section of this Act.

1. Introduced by Mr. Walsh, February 13, 1907.
2. Read by title, ordered printed and referred to Committee on Manufactures.

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## A BILL

For an Act to prohibit the use of deleterious ingredients in the manufacture or sale of beer, porter, ale, malt tonic or malt extract.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented*  
2 *in the General Assembly:* That it shall be unlawful to manufacture, sell, dis-  
3 pense or give away in this State, any beer, porter, ale, malt tonic or malt  
4 extract, except such as is brewed or manufactured from hops, malt, corn, or  
5 rice, and which do not contain any of the deleterious ingredients designated as  
6 Section 2 of this Act.

Sec. 2. The use of salycilic acid, tannic acid, sulphuric acid, or any other  
2 chemical or coloring matter whatsoever, in the manufacture or brewing, in this  
3 State, of any beer, porter, ale, malt tonic or malt extract containing any salycilic  
4 acid, tannic acid, sulphuric acid or any other chemical or coloring matter what-  
5 soever, is declared unlawful and is hereby prohibited.

Sec. 3. The sale, dispensing or giving away, in this State, of any beer, porter,  
 2 ale, malt tonic or malt extract, which has not matured or lagered in the cooling  
 3 vats at least ninety days from the day of its entrance into the cooling process,  
 4 is hereby prohibited.

Sec. 4. Every person or corporation violating any of the provisions of this  
 2 Act, shall be guilty of a misdemeanor, and on conviction shall be fined, for the  
 3 first offense, not less than two hundred dollars nor more than one thousand dol-  
 4 lars, and for the second and each succeeding offenses, shall be fined not less than  
 5 two thousand dollars nor more than five thousand dollars, and imprisoned in  
 6 the penitentiary not less than one year nor more than three years.

Sec. 5. Any beer, porter, ale, malt tonic or malt extract manufactured or  
 2 brewed in violation of the provisions of this Act, or which contains any salycilic  
 3 acid, tannic acid, sulphuric acid, or any other chemical or coloring matter, the  
 4 use of which is prohibited by the provisions of this Act, and found within this  
 5 State, shall be subject to seizure, confiscation and destruction by any county,  
 6 municipal or other local authority, within whose jurisdiction the same may be  
 7 found.

- 1 Introduced by Mr. Fitch, February 13, 1907.  
2 Read by title, ordered printed and to lie upon Speaker's table.

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## A BILL

For an act to amend section 1 of an act entitled, "An Act providing for an expression of opinion by electors on questions of public policy at any general or special election," approved May 11, 1901, in force July 1, 1901.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That section 1 of an act entitled,  
3 "An Act providing for an expression of opinion by electors on questions of  
4 public policy at any general or special election," approved May 11, 1901, in  
5 force July 1, 1901, be and the same is hereby amended so as to read as follows:

Sec. 1. That on a written petition signed by twenty-five per cent of the  
2 registered voters of any incorporated town, village, city, township, county or  
3 school district; or ten per cent of the registered voters of the State, it shall be the  
4 duty of the proper election officers in each case to submit any question of public  
5 policy so petitioned for, to the electors of the incorporated town, village, city,

6 township, county, school district or State, as the case may be, at any general  
 7 or special election named in the petition: *Provided*, Such petition is filed with  
 8 the proper election officers in each case not less than sixty (60) days before  
 9 the date of the election at which the question or questions petitioned for are  
 10 to be submitted. Not more than three propositions shall be submitted at the  
 11 same election, and such proposition shall be submitted in the order of its filing.  
 12 *Such petitions shall consist of sheets of uniform size and each sheet shall con-*  
 13 *tain above the space for signatures, the question of public policy proposed to*  
 14 *be voted upon, and the heading of each sheet shall be the same and no petition*  
 15 *and no sheet of said petition shall contain more than one question. Such petition*  
 16 *shall be signed by the qualified voters in their own proper persons only, and op-*  
 17 *posite the signature of each signer his residence address shall be written (and*  
 18 *if a resident of a city having a population of over 10,000 by the then last pre-*  
 19 *ceding federal census, the street and number of such residence shall be given).*  
 20 *Also specifying the township or ward, in which signer resides, together with*  
 21 *his voting precinct. No signature shall be valid or be counted in considering*  
 22 *the validity or sufficiency of such petition, unless the requirements of this sec-*  
 23 *tion are complied with. No sheet of such petition so circulated, shall contain*  
 24 *the names of more than one voting precinct. At the bottom of each sheet of said*  
 25 *petition shall be added a statement signed by a voter of the territory in which*  
 26 *said question is proposed to be submitted, stating his residence address (and*  
 27 *if a resident of a city having a population of over 10,000 by the then last pre-*  
 28 *ceding federal census, also stating the street and number of such residence,*  
 29 *certifying that the signatures on that sheet of said petition were signed in hi*  
 30 *presence and are genuine; and that to the best of his knowledge and belie*  
 31 *the persons so signing were, at the time of signing said petition, qualified voter*



32 *(and in cities, villages and incorporated towns, in which rotors are or may be*  
 33 *required to be registered, that they were also at the time of signing said petition,*  
 34 *duly registered voters) of the territory in which the said question is proposed*  
 35 *to be submitted and that their respective residences are correctly stated therein.*  
 36 *Such statement shall be sworn to before some officer of the county in which the*  
 37 *person making such statement resides, authorized to administer oaths there-*  
 38 *in. Such sheets, before being filed, shall be neatly fastened together in book*  
 39 *form, by placing the sheets in a pile and fastening them together at one edge*  
 40 *in a secure and suitable manner; and the sheets shall then be numbered con-*  
 41 *secutively. The sheets shall not be fastened by pasting them together end to*  
 42 *end so as to form a continuous strip or roll. Whoever in making a sworn*  
 43 *statement above prescribed shall knowingly, willfully and corruptly swear*  
 44 *falsely, shall be deemed guilty of perjury and upon conviction thereof shall*  
 45 *be punished accordingly. Whoever forges any name of a signer upon any*  
 46 *petition, and any person signing, advising or counseling the signing of the*  
 47 *name of any registered voter, other than his own, or the name of any per-*  
 48 *son not a registered voter, shall be deemed guilty of a forgery and on con-*  
 49 *viction thereof shall be punished accordingly, and the name or names upon*  
 50 *the sheets which do not comply with this Act, shall not be counted. The blank*  
 51 *petition sheets shall be prepared by the Board of Election Commissioners or the*  
 52 *officer or officers having charge of the elections, the cost of their preparation*  
 53 *to be borne entirely by the person or persons requesting their preparation, and*  
 54 *names signed upon any other than such officially prepared blank petitions shall*  
 55 *not be counted.*

56 *Each sheet of signatures shall be canvassed by the election officers with whom*  
 57 *it is filed, and any name or names of persons not qualified to vote at the*

58 time of said canvass, shall be stricken off, and any and all signatures appear-  
59 ing to be in the same handwriting or giving other evidence of having been written  
60 by one and the same person, shall be stricken off.

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Introduced by Mr. Allen, February 13, 1907.

Read by title, ordered printed and to lie upon the Speaker's table.

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## A BILL

For an act to regulate the sale of spirituous or malt liquors.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That no spirituous or intoxicating liquors shall be sold within two miles of an educational institution which is assisted by the State of Illinois by way of appropriation.

Sec. 2. Any person or persons who shall violate section one of this Act shall be fined not less than twenty dollars or more than two hundred dollars for each and every offense, and confined in the county jail of said county not less than thir



- 1 Introduced by Mr. Baird, February 14, 1907.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an act making a special appropriation for the Southern Illinois Normal University for the purposes herein named.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be and is hereby appropriated for the Southern Illinois Normal University the sum of sixty-two thousand dollars (\$62,000), or so much thereof as may be necessary, out of any money in the treasury not otherwise appropriated, for the following purposes, viz:

7	Repairing steam heating plant.....	\$ 1,000.00
8	Iron railing outside campus.....	2,000.00
9	Granitoid walk and pavement about main building .....	2,500.00
10	Electric wiring and fixtures for lighting halls, corridors and offices in main building .....	1,500.00



11	Amphitheatre on Bayliss Field.....	1,500.00
12	New furniture and carpets.....	1,000.00
13	Installing program clock and system of signals .....	500.00
14	Installing manual training equipment.. ..	1,000.00
15	Gallery in Gymnasium.....	1,000.00
		-----
16		\$12,000.00
17	Erection of modern building for model school .....	50,000.00
		-----
18	Total .....	\$62,000.00

Sec. 2. The Auditor of Public Accounts is hereby authorized and required  
2 to draw his warrants upon the State Treasurer for the several amounts herein  
3 specified when requisition therefor is made in accordance with existing law.

1 Introduced by Mr. Blair, February 14, 1907.

2 Read by title, ordered printed and referred to Committee on License.

---

## A BILL

For an act to amend section one (1) of an act entitled, "An Act to restrict the powers  
of counties, cities, towns and villages in licensing dramshops to provide for grant-  
ing a license to retail malt liquors separately, and for punishing persons hold-  
ing such separate license for unlawful sale and gifts," approved June 15, 1883,  
in force July 1, 1883.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That section one (1) of an act entitled  
3 "An Act to restrict the powers of counties, cities, towns and villages in licens-  
4 ing dramshops, to provide for granting a license to retail malt liquors sepa-  
5 rately, and for punishing persons holding such separate license for unlawful  
6 sale and gifts," approved June 15, 1883, in force July 1, 1883, be and the  
7 same is hereby amended so as to read as follows:

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That hereafter it shall not be lawful for

3 the corporate authorities of any city, town or village in this State to grant a  
4 license for the keeping of a dramshop, except upon the payment, in advance,  
5 into the treasury of the city, town or village granting the license, of such sum  
6 as may be determined by the respective authorities of such city, town or vil-  
7 lage, not less than at the rate of fifteen hundred dollars (\$1,500.00) per an-  
8 num: *Provided*, That in all cases when a license for the sale of malt liquors  
9 only is granted, the city, town or village granting such license may grant the  
10 same on the payment in advance, of the sum of not less than at the rate of four  
11 hundred dollars (\$400.00) per annum: *And Provided, further*, That the city  
12 councils in cities, the board of trustees in towns, and president and board of  
13 trustees in villages, may grant permits to pharmacists for the sale of liquors  
14 for medicinal, mechanical, sacramental and chemical purposes only, under such  
15 restrictions and regulations as may be provided by ordinance.

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- 1 Introduced by Mr. Clapsaddle, by request, February 14, 1907.
  - 2 Read by title, ordered printed and referred to Committee on Judicial Department and Practice.

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## A BILL

For an act prohibiting attorneys or counsellors at law, who are associated as partners in the practice of the law with any county or probate judge, from practicing in any court of record in this State in which such judge is presiding, and providing a penalty therefor.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That it shall be unlawful for any attorney  
3 or counsellor at law, who may be associated as partner in the practice of the law  
4 with any judge of any county or probate court, in this State to appear in any  
5 court over which any such judge is then presiding, as attorney or counsellor at  
6 law in any case or matter pending in any such court.

Sec. 2. That any person or persons who shall be found guilty of violating  
2 section one of this Act shall be fined for the first offense not less than one hundred

3 dollars nor more than one thousand dollars, and shall upon conviction for the  
4 second offense be barred from practicing as an attorney or counsellor at law, in  
5 any of the courts of this State.



- 1 Introduced by Mr. Flannigen, February 14, 1907.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

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## A BILL

For an act to make an appropriation for the benefit, aid and maintenance of the Illinois Firemen's Association.

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WHEREAS, The Illinois Firemen's Association is an organization representing the firemen and especially the volunteer firemen of the State, and is organized under the laws of this State, and,

WHEREAS, The aims of the Illinois Firemen's Association are the education of firemen in the fire service, and the betterment of the service in the several towns and cities in the State, for which purpose annual meetings are held for the discussion of topics on the subject, and the hearing of suggestions that are of great value to the membership (made up of the fire departments of the State of Illinois), therefore, to help sustain this organization in the holding of its annual meetings and the printing of its reports, and to otherwise promote the usefulness of this meritorious organization, the fire fighters, who voluntarily give their service in the protection of lives and homes,

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That there be and is hereby appropriated  
3 to the Illinois Firemen's Association the following sums, to-wit: For the printing  
4 and distribution of its programs, its annual report of proceedings, organization,  
5 postage, stationery, expenses of the annual meeting, the dissemination of informa-  
6 tion pertaining to the business of the organization, the sum of one thousand dol-  
7 lars (\$1,000) per annum.

Sec. 2. No part of the said one thousand dollars (\$1,000) shall be paid as  
2 salary to any officer of the Illinois Firemen's Association.

Sec. 3. The secretary and treasurer of the association shall make an annual  
2 statement to the Governor on, or before January 1, of each and every year, of the  
3 disposition of the said appropriation.

Sec. 4. The State Auditor is hereby authorized to draw his warrant for the  
2 sum herein specified, and deliver the same to the president and treasurer of the  
3 Illinois Firemen's Association, upon their presenting proper vouchers for the  
4 same, signed by the president and secretary of said association, and the State  
5 Treasurer shall pay out of any money in the State Treasury not otherwise ap-  
6 propriated.

AMENDMENT TO

45th Assem.

HOUSE—No. 284

Apr. 1907

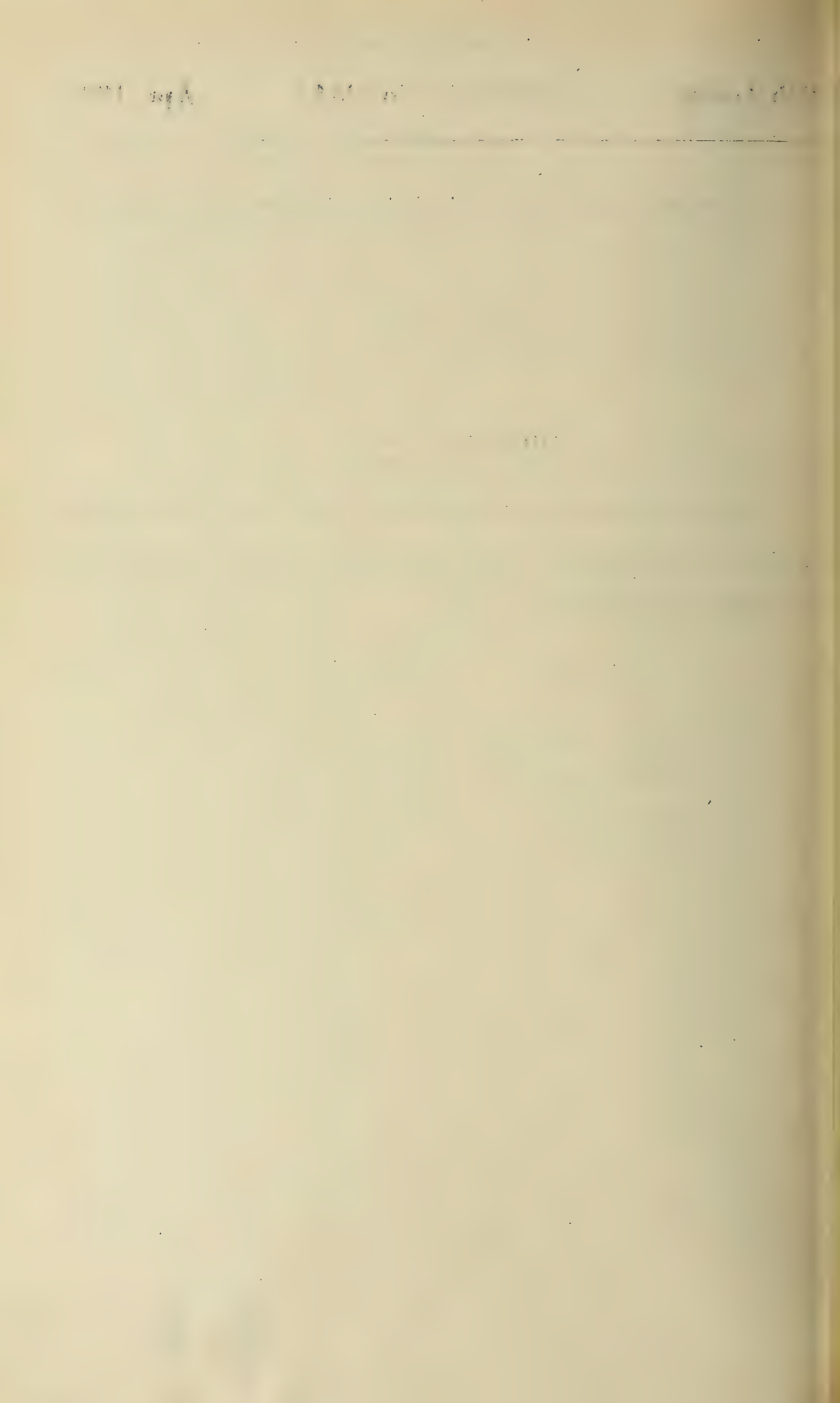
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Amendment to House Bill No. 284, adopted by the House, April 17, 1907.

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AMENDMENT NO. 1.

Amend House Bill No. 284, by striking out in Section 2, the words and figures  
“one thousand dollars (\$1,000.00),” and insert in lieu thereof the words and figures  
“five hundred dollars (\$500.00).”



- 
- 1 Introduced by Mr. Gibbons, February 14, 1907.
- 2 Read by title, ordered printed and referred to Committee on Education.

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## A BILL

For an act to provide for the annexation for township high school purposes, of any school township, or part of such township, not having an established township high school, to any adjacent school township having an established township high school.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* That upon petition of not less than five

3 per cent of the voters of any school township not having an established town-

4 ship high school, which township adjoins any other school township then having

5 an established township high school, or upon petition of not less than five per

6 cent of the voters of any specific territory within such school township not hav-

7 ing such high school, filed with the Township Treasurer of Schools at least fifteen

8 days preceding the regular election of trustees of schools in said township, and

9 upon petition of five per cent of the legal voters of the township having an es-

10 blished township high school, filed with the Township Treasurer of Schools of



11 such township, at least fifteen days preceding the regular election of trustees in  
 12 such township, it shall be the duty of the Treasurer of the township not having  
 13 a township high school to notify the voters of such township, or, where the peti-  
 14 tion is for the annexation of a part of said township, to notify the voters of  
 15 said part of said township that an election "For" or "Against" annexing said  
 16 school township, or part of the township, as the case may be, will be held at  
 17 the next regular election of trustees of schools of said township, by posting  
 18 notices of such election in at least ten of the most public places throughout such  
 19 township, or part of the township, as the case may be, at least ten days before  
 20 the date of such regular election, which notices may be in the following form:

#### 21 HIGH SCHOOL ANNEXATION ELECTION.

22 NOTICE IS HEREBY GIVEN that on Saturday, the.....day of April,  
 23 A. D....., an election will be held at.....for the purpose  
 24 of voting "For" or "Against" the proposition to annex for township high  
 25 school purposes the following territory, to-wit: (Here insert the number and  
 26 range of the township where the whole of the township is to be annexed, or  
 27 where part of the township is to be annexed insert the said part of said town-  
 28 ship), to Township Number....., Range Number..... (township hav-  
 29 ing an established high school).

30 The polls of said election will be open at .....o'clock and close at.....  
 31 o'clock of said day.

32 A. B., *Treasurer.*

Sec. 2. Where less than the whole of the township is to be annexed, only  
 2 the voters in said territory in said township so to be annexed shall have the

right to vote thereon in said township, and the trustees of said schools of such township shall furnish and provide at said election a voting place for said territory, and shall provide for the judges and clerk of such election at said place.

Sec. 3. It shall also be the duty of the treasurer of the township having an established high school to notify the voters of said township that an election "For" or "Against" annexing township ..... (naming the same), or part of the township.....(naming the same), as the case may be, will be held at the next regular election of trustees, by posting notices of such election in at least ten of the most public places throughout such township, for at least ten days before the date of such regular election, which notices may be in the following form:

#### HIGH SCHOOL ANNEXATION ELECTION.

NOTICE IS HEREBY GIVEN that on Saturday, the.....day of April, A. D....., an election will be held at.....for the purpose of voting "For" or "Against" the proposition to annex for township high school purposes the following territory, to-wit: (Here insert the number and range of the township where the whole of the township is to be annexed, or where part of the township is to be annexed insert the said part of said township), to Township Number....., Range Number..... (township having an established high school).

The polls of said election will be open at.....o'clock and close at..... o'clock of said day.

C. D., *Treasurer.*

Sec. 4. If the petitioners' petitions referred to in section 1 of this Act request the Township Treasurers, respectively, to submit said question at a special election, then it shall be the duty of said Township Treasurers to call said respective elections, as provided in the foregoing sections, for some day and hour not exceeding thirty days from the date of the filing of said petition; and to give at least ten days' notice of said elections, in which event the polls of said elections shall be open for at least four consecutive hours, and the polling places in said respective townships shall be designated and fixed by said treasurers, respectively: *Provided*, That there shall be at least two polling places in each of the townships.

Sec. 5. If a majority of the voters voting on said proposition in the township having an established high school, and also if a majority of the voters voting on said proposition in said township desiring to be annexed, or where part of the township is to be annexed, a majority of the voters voting in said territory on said proposition, shall vote in favor thereof, then said township or territory, as the case may be, shall be and become so annexed, and the property in said township or territory, as the case may be, shall thereafter be subject to taxation for the support and maintenance of said township high school, including the payment of any bonded indebtedness of said township high school, and interest thereon thereafter falling due after such annexation, as fully and to the same extent as is now, or may hereafter be provided by law for the levying of taxes upon property for the support and maintenance of township high schools. The taxes collected from said township or territory annexed for the support and maintenance of a township high school shall be paid by the officer collecting the same, to the Township Treasurer of the township having the established high school.

Sec. 6. Said election shall be held in the manner now or hereafter provided by law for the holding of elections for township trustees of schools, and the ballots of such election shall be received and canvassed, and the returns thereof made as in other school elections: *Provided, however,* That if said election shall be carried as provided by this Act, it shall be the duty of the Township Treasurer of the township which is annexed, or part thereof, as the case may be, to file a certificate with the county clerk of the county in which said township is located, or if said township is situated in more than one county, with the respective clerks of said counties, certifying to the territory so annexed, giving a description thereof.

Sec. 7. WHEREAS, there are certain school townships in the State where the voters thereof are desirous of voting upon the matters in this Act set forth, at the next regular election for trustees, therefore an emergency exists, and this Act shall be and become in force from and after its passage.





- 1 Introduced by Mr. Hamilton, by request, February 14, 1907.
- 2 Read by title, ordered printed and referred to Committee on Miscellaneous Subjects.

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## A BILL

For an act to amend section 1 of "An Act to indemnify the owners of sheep in cases of damages committed by dogs," approved May 29, 1879, in force July 1, 1879, as amended by an act approved June 16, 1891, in force July 1, 1891.

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SECTION 1. ASSESSORS TO MAKE LIST.—*Be it enacted by the People of the*  
2 *State of Illinois, represented in the General Assembly:* That each county and  
3 township assessor in this State, when making the assessment, shall annually  
4 make a list of the names of all persons who own or keep a dog or dogs, except  
5 such persons as live within the corporate limits of an incorporated city or vil-  
6 lage having an ordinance imposing an animal license fee upon each dog kept  
7 or owned by such person living within its corporate limits, and set opposite  
8 the name of such owner or keeper the number of dogs he or she has in his or

9 her possession, or that is or are kept on his or her premises; which list shall  
10 be returned by such assessor to the county clerk of the county in which said  
11 list is taken as soon as the assessment is completed.

1 Introduced by Mr. Heinl, February 14, 1907.

2 Read by title, ordered printed and referred to Committee on Appropriations.

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## A BILL

For an act making an appropriation for the Illinois Live Stock Breeders' Association.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That there be, and hereby is, appropri-  
3 ated to the Illinois Live Stock Breeders' Association the following sums, to-wit:  
4 For printing and distributing reports, programs, postage, stationery, expenses  
5 of speakers, etc., the sum of five hundred dollars (\$500) per annum for the  
6 years 1907 and 1908.

Sec. 2. No officer or officers of the Illinois Live Stock Breeders' Association  
2 shall be entitled to receive any money compensation whatever for any service  
3 rendered for same.

Sec. 3. That on the order of the president, countersigned by the secretary  
2 of the Illinois Live Stock Breeders' Association and approved by the Governor,

3 the Auditor of Public Accounts shall draw his warrant on the Treasurer of the  
4 State of Illinois in favor of the treasurer of the Illinois Live Stock Breeders'  
5 Association for the sum herein appropriated.

Sec. 4. It shall be the duty of the treasurer of the Illinois Live Stock  
2 Breeders' Association to pay out of said appropriation, on itemized and receipt-  
3 ed vouchers, such sums as may be authorized by said organization, on the order  
4 of the president, countersigned by the secretary, and make final report to the  
5 Governor of all expenditures, as provided by law.

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- 1 Introduced by Mr. Heinl, February 14, 1907.
  - 2 Read by title, ordered printed and referred to Committee on Judicial Department and Practice.

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## A BILL

For an act to compel witnesses in certain cases to testify and to release them from all liability to punishment on account of any matter to which they shall be required to testify.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That whenever in any investigation before a grand jury or on the trial of any person charged with keeping a “bucket  
3 shop” or place for dealing in grain, etc., on margins, and of persons charged  
4 with keeping a gaming house, it shall appear to the court that another person  
5 than the one charged is a material and necessary witness in the case and that  
6 his testimony would or might tend to criminate himself, the court may cause  
7 an order to be entered of record that such witness be released from all liability  
8 to be prosecuted or punishment on account of any matter to which he shall  
9



10 be required to testify; and upon such order being entered such witness shall  
11 be compelled to testify, and if he shall testify to anything which would cause  
12 him to criminate himself such order shall forever after be a bar to any indict-  
13 ment, information or prosecution against him for such matter so procured to  
14 be testified to by him.

1 Introduced by Mr. Heinl, February 14, 1907.

2 Read by title, ordered printed and referred to Committee on Judiciary.

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## A BILL

For an act to prevent frauds between attorneys, clients and defendants, making  
agreements between clients and attorneys a lien upon the cause of action.

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SECTION 1. ATTORNEYS' FEES—HOW GOVERNED—LIEN UPON CAUSE OF ACTION.

Sec. 2. ATTORNEYS AND CLIENTS MAY CONTRACT—WHEN—SERVICE OF NOTICE

2 UPON LITIGANTS—EFFECT OF SAME.

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That the compensation of an attorney  
3 or counsellor at law or solicitor in chancery for his services is governed by  
4 agreement, express or implied, which is not restricted by law. From the com-  
5 mencement of an action or the filing of a plea or answer containing a counter-  
6 claim or set-off, the attorney who appears for the party thereto, either plain-  
7 tiff or defendant, shall have a lien upon his client's cause of action, counter-  
8 claim or set-off, which shall attach to a verdict, report, decision or judgment

9 in his client's favor, and the proceeds thereof in whosoever hands it may come  
10 and cannot be affected by any settlement between the parties before or after  
11 judgment.

Sec. 2. In all suits in chancerys thereof in whosoever hand it may come  
2 law, whether arising *ex contractu* or *ex delicto*, it shall be lawful for an attor-  
3 ney at law, either before suit or action is brought, or after suit or action is  
4 brought, to contract with his client for legal services rendered or to be rendered  
5 to him or it, for a certain proportion or percentage of the proceeds of any set-  
6 tlement of his client's claim or cause of action, either before the institution of  
7 suit or action or at any stage after the institution of the suit or action, and  
8 upon notice in writing by the attorney who has made such agreement with his  
9 client, served upon the defendant or defendants or the plaintiff, if upon a coun-  
10 ter-claim or set-off, or the proposed defendant or defendants, that he has such  
11 an agreement with his client or clients, stating therein the interest he has in  
12 such claim or cause of action, then such agreement shall operate from the date  
13 of the service of such notice as a lien upon a claim or cause of action and upon  
14 the proceeds of any settlement thereof, for such attorneys' fees, portion or  
15 percentage thereof which the client may have against the defendant or defend-  
16 ants, or proposed defendant or defendants, or plaintiff, if upon a counter-claim  
17 or set-off, either before suit or action is brought or before or after judgment  
18 therein, and any defendant or defendants or proposed defendant or defendants  
19 who shall, after notice in writing, served as herein provided, in any manner set-  
20 tle any claim, suit, cause of action at law or chancery, with such attorney's cli-  
21 ent, before or after litigation instituted thereon, without first obtaining written  
22 consent of such attorney or attorneys, shall be liable to such attorney or attor-  
23 neys for such attorneys' lien as aforesaid, upon the proceeds of such settlement,

24 as per contract existing, as herein provided, between such attorney or attorneys  
25 and his client, and such attorney shall, by means of such contract, become in  
26 no way liable for costs by virtue of said contract.





1 Introduced by Mr. Heinl, February 14, 1907.

2 Read by title, ordered printed and referred to Committee on Appropriations.

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## A BILL

For an act to establish the Illinois State Historical Society and to provide for its care and maintenance, and to make appropriations therefor.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That the Illinois State Historical Society  
3 heretofore organized under the laws of the State of Illinois and later made a  
4 department of the Illinois State Historical Library by an act entitled, "An Act  
5 to add a new section to an act entitled, 'An Act to establish the Illinois State  
6 Historical Library and to provide for its care and maintenance and to make  
7 appropriations therefor,'" approved May 25, 1889, and in force July 1, 1889;  
8 approved May 16, 1903, in force July 1, 1903, is hereby made and declared  
9 a public corporation of the State to be known as "The Illinois State Historical  
10 Society."

Sec. 2. The object of the Society shall be to excite and stimulate a general  
2 interest in the history of Illinois; to encourage historical research and inves-

3 tigation and secure its promulgation; to collect and preserve all forms of data  
 4 in any way bearing upon the history of Illinois and its peoples; to obtain and  
 5 preserve narratives of the exploits, perils and adventures of the early pioneers;  
 6 to diffuse and publish information relative to the history of the State and to  
 7 collect, embody, arrange and preserve books, pamphlets, documents, manuscripts,  
 8 newspapers, maps, charts, statuary, paintings, prints, photographs, relics and  
 9 other material illustrative of the history of Illinois.

Sec. 3. It shall be the duty of said Society:

2 1. To search out and preserve in permanent form for the use of the People  
 3 of the State of Illinois facts and data in the history of the State and of each  
 4 county thereof, including the prehistoric periods and the history of the aborig-  
 5 inal inhabitants together with the biographies of distinguished persons who have  
 6 rendered services to the People of the State.

7 2. To collect and preserve for like use books, pamphlets, documents, manu-  
 8 scripts, newspapers, maps, charts, statuary, paintings, prints, photographs, relics  
 9 and other materials of interest bearing upon the foregoing topics, the political,  
 10 religious, social, physical, ethnological, economical, and industrial history of Illi-  
 11 nois and upon the history of places and persons within said State in particular,  
 12 and of the Mississippi valley generally.

13 3. To procure from early pioneers and preserve narratives of their exploits,  
 14 perils and adventures and to examine and procure and preserve copies of Fed-  
 15 eral, State, county, city, town, village, school, church and other like records  
 16 bearing upon the history of the State.

17 4. To collect, collate, compile, edit and preserve all official records, correspon-

18 dence, memoranda and data affecting and appertaining to the relations between  
 19 this State and the United States and between this State and other states, to-  
 20 gether with all official records, memoranda and statistics relative to the acts,  
 21 doings and services of Indians, residents or citizens of the Illinois country, of  
 22 the territory of Illinois and of the State of Illinois in the war of the Revolution,  
 23 War of 1812, Mexican war, Spanish-American war, War of the Rebellion, Mormon  
 24 war, and the Black Hawk and other Indian wars and uprisings.

25 5. To receive by gift, grant, devise, bequest or purchase, books, pamphlets,  
 26 documents, manuscripts, newspapers, maps, charts, statuary, paintings, prints, pho-  
 27 tographs, relics, libraries, museums, moneys, historical material and other prop-  
 28 erty, real and personal, in aid of the above objects.

29 6. To prepare and publish from time to time for the use of the People of the  
 30 State of Illinois the transactions of the Society and such other facts and docu-  
 31 ments bearing upon its objects and duties as it may secure and the trustees of  
 32 the Society may deem worthy of publication.

33 7. To thoroughly catalogue the library and collections of said Society for  
 34 the more convenient reference of all persons who have occasion to consult the  
 35 same.

36 8. To keep its rooms, library and collections open at all reasonable hours  
 37 on business days for the use of the public, without fee.

Sec. 4. Said Society may have and use, and at discretion change, a common  
 2 seal; may ordain and enforce a constitution, by-laws, rules and regulations, pre-  
 3 scribe qualifications for membership therein and elect such officers as the con-  
 4 stitution or by-laws may prescribe: *Provided*, Such constitution, by-laws, rules

and regulations be not inconsistent with this Act, or the law or constitution of this State or of the United States.

Sec. 5. Said Society may receive, acquire, hold and enjoy books, pamphlets, documents, manuscripts, newspapers, maps, charts, statuary, paintings, prints, photographs, relics and other materials forming its library and collections to any extent, and may acquire, hold and alienate any other personal and real estate and may acquire the same by purchase, appropriation, devise, bequest or otherwise, but its funds shall ever be faithfully appropriated to promote the objects and duties of the Society.

Sec. 6. Said Society shall be the trustee of the State, and as such shall faithfully expend and apply all money received from the State to the uses and purposes directed by law and shall hold all its present and future library collections and property for the State and shall not sell, mortgage, transfer or dispose of in any manner or remove from the capitol any article thereof or part of the same without authority of law or the consent of the General Assembly: *Provided*, This shall not prevent the sale or exchange of any duplicate that the Society may have or obtain. All books, pamphlets, documents, manuscripts, newspapers, maps, charts, statuary, paintings, prints, photographs, relics, and other material or property acquired or procured by the trustees or officers of the said Society or otherwise in carrying out the object and duties of said Society shall be the property of said Society and shall be deposited in its library or among its collections.

Sec. 7. The Historical Library established at the capitol of the State by an act entitled, "An Act to establish the Illinois State Historical Library and to provide for its care and maintenance, and to make appropriations therefor



4 approved May 25, 1889, in force July 1, 1889," shall be and the same is hereby  
5 turned over and placed in the care and control of the trustees of the Illinois  
6 State Historical Society to be known as the Illinois State Historical Library.

Sec. 8. The said Society and the Illinois State Historical Library shall oc-  
2 cupy such rooms or building at the State capitol as may be set apart or provided  
3 for them by act of the General Assembly.

Sec. 9. The Illinois State Historical Society shall be under the control and  
2 management of seven trustees well versed in the history of the State. Three  
3 of said trustees shall be chosen and appointed by the Governor by and with the  
4 consent of the Senate, for the term of two years, and until their successors have  
5 been appointed and commissioned. Four of said trustees shall be elected by the  
6 said Illinois State Historical Society at a special meeting to be held in July,  
7 1907, two of said trustees so elected to serve until the regular meeting of said  
8 Society in January, 1908, and two of said trustees so elected to serve until the  
9 the regular meeting of said Society in January, 1909. Two trustees of said Illi-  
10 nois State Historical Society shall be elected by said Society at its regular  
11 meeting in January, 1908, and annually thereafter; each trustee so elected to  
12 serve for the term of two years and until his successor has been elected. The  
13 said trustees shall receive no compensation for their services, except for their  
14 actual expenses while in the discharge of their official duties, to be paid upon  
15 itemized accounts approved by the Governor. The secretary of said Society shall  
16 certify to the Secretary of State the names of all trustees elected by said So-  
17 ciety within five days after their election. The said trustees shall render to the  
18 Governor annually a detailed statement of all funds received from the State  
19 and all other sources, and of all expenditures made by them and the specific ob-  
20 jects in detail for which said sums were expended. The annual report of the



21 trustees to the Governor or an abstract of the same shall be printed in the  
22 annual report or transactions of the Society. The trustees shall make no ap-  
23 propriations or debts without having funds in hand to meet the same, and if  
24 any debt is created the trustees shall be held severally and jointly liable for  
25 the payment of the same; and in no event shall the State of Illinois be held liable  
26 or responsible for any debt, obligation or contract made by the Illinois State  
27 Historical Society or its trustees.

Sec. 10. The said trustees shall have power and they are hereby required to  
2 make all necessary rules, regulations and by-laws not inconsistent with law to  
3 carry into effect the purposes of this Act, to carry out its object and to per-  
4 form its duties. They may select an historian whose salary shall be not to  
5 exceed two thousand dollars per annum, a librarian whose salary shall be not  
6 to exceed fifteen hundred dollars per annum, an assistant librarian whose sal-  
7 ary shall be not to exceed one thousand dollars per annum, a janitor whose  
8 salary shall be not to exceed eight hundred dollars per annum and such other  
9 employes as may be necessary and they shall pay for postage, books, materials,  
10 publications, etc., necessary to carry into effect the purposes of this Act. They  
11 shall supervise and prosecute investigations and research in matters pertaining  
12 to the history of Illinois and shall direct and supervise the publication of all  
13 reports, transactions, collections, bulletins, circulars and notices required to  
14 be made in carrying out the purposes of this Act.

Sec. 11. For the purpose of carrying out the provisions of this Act, the  
2 sum of twelve thousand (\$12,000.00) dollars per annum is hereby appropriated  
3 out of any moneys in the treasury not otherwise appropriated, and the Auditor

4 is authorized to draw his warrant therefor, payable to the order of the trustees  
5 of the Illinois State Historical Society, upon proper vouchers, approved by the  
6 Governor.

Sec. 12. All acts or parts of acts in conflict herewith are hereby repealed.



- 1 Introduced by Mr. Keck, February 14, 1907.
- 2 Read by title, ordered printed and referred to Committee on Miscellaneous Sub-  
jects.

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## A BILL

For an act to repeal section 3 and to amend section 4 of an act entitled “An Act to protect persons and property from danger from Steam Engines on Public Highways,” approved June 26, 1885, in force July 1, 1885.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That section 3 of an act entitled “An Act  
3 to protect persons and property from danger from steam engines on public  
4 highways, approved June 26, 1885, in force July 1, 1885,” be and the same is  
5 hereby repealed, and that section 4 of said act be amended to read as follows:

Sec. 4. Any owner of a steam engine, who, by himself, agent or employe,  
2 violates the provisions of sections “one” or “two” of this Act, shall be deemed  
3 guilty of a misdemeanor, and, upon conviction thereof, shall, for each offense,  
4 be fined not less than ten dollars nor more than fifty dollars, to be recovered

5 before any court of competent jurisdiction, and shall also be liable for all dam-  
6 ages that may be sustained by persons or property by reason of his failing to  
7 comply with the provisions of this Act.



- 1 Introduced by Mr. Kerrick, February 14, 1907.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an act to provide for the purchase of overcoats, dress and service uniforms, and pea-jackets for the Illinois National Guard and the Illinois Naval Reserve.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of one hundred ninety-nine thousand, seven hundred sixty-five dollars (\$199,765), or so much thereof as may be necessary, is hereby appropriated to pay for the manufacture and purchase of overcoats, dress and service uniforms, and pea-jackets, for the Illinois National Guard and the Illinois Naval Reserve.

7	7,400 olive drab overcoats.....	\$107,300.00
8	6,000 dress uniforms .....	60,000.00
9	6,000 service uniforms .....	18,000.00
10	300 pea-jackets .....	3,000.00
11	5,500 dress caps .....	6,215.00

12	3,500 campaign hats .....	5,250.00
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\$199,765.00

13

Sec. 2. The Auditor of Public Accounts is hereby authorized and directed  
 2 to draw his warrant for the sum herein specified, upon the presentation of prop-  
 3 er vouchers, certified to by the Adjutant General and approved by the Governor,  
 4 and the Treasurer shall pay the same out of the money hereby appropriated.

Adopted by the House, March 19, 1907.

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AMENDMENT NO. 1.

Amend printed bill by striking out all of line 7.

AMENDMENT NO. 2.

Amend printed bill by striking out in line 11 the figures "5500" and insert in lieu thereof the figures "4500."

Strike out in line 11 the figures "6215" and insert in lieu thereof the figures \$5000."

AMENDMENT NO. 3.

Amend printed bill by striking out in line 12 the figures "3500" and insert in lieu thereof the figures "2700".

Strike out the figures "\$5250" in same line and insert in lieu thereof the figures "\$4000."

AMENDMENT NO. 4.

Amend printed bill by striking out in line 13 the figures "\$199,765" and insert in lieu thereof the figures "\$90,000."



- 1 Introduced by Mr. Kerrick, February 14, 1907.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

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## A BILL

For an act to purchase armory site for Second Infantry, Illinois National Guard, and sixty (60) acres additional ground for Camp Logan, Illinois.

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SECTION 1: *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That the sum of thirty-five thousand dol-  
3 lars (\$35,000), or so much thereof as may be necessary, is hereby appropriated  
4 for the purchase of lots ten (10), thirteen (13), fourteen (14), fifteen (15), and  
5 the west half of sixteen (16), in block forty-two (42) in Carpenter's addition to  
6 Chicago in the west one-half of the southeast quarter of section eight (8), town-  
7 ship thirty-nine (39) north, range fourteen (14) east of the third (3rd) principal  
8 meridian, in Cook county, Illinois, now occupied by armory building owned by  
9 the Second Infantry, Illinois National Guard; and that the further sum of nine  
0 thousand dollars (\$9,000), or so much thereof as may be necessary, is hereby  
appropriated for the purchase of sixty (60) acres of additional ground located  
on the west side and adjoining Camp Logan, Illinois.



Sec. 2. The Auditor of Public Accounts is hereby authorized and directed  
2 to draw his warrant for the sum herein specified, upon the presentation of prop-  
3 er vouchers, certified to by the Adjutant General and approved by the Governor,  
4 and the Treasurer shall pay the same out of the money hereby appropriated.

- 
- 1 Introduced by Mr. Kerrick, February 14, 1907.
  - 2 Read by title, ordered printed and referred to Committee on Military Affairs.

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## A BILL

For an act to amend each and every section of Article II, and section one (1) and section two (2) of Article IV of an act entitled "An Act to establish a military and naval code for the State of Illinois, and to repeal all acts in conflict herewith," approved May 14, 1903, in force July 1, 1903, and to add to Article XII thereof an additional section to be numbered and known as section eleven (11),

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SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* That each and every section of Article II  
3 and section one (1) and section two (2) of Article IV of an act entitled "An Act  
4 to establish a military and naval code for the State of Illinois, and to repeal all  
5 acts in conflict herewith," approved May 14, 1903, in force July 1, 1903, be and the  
6 same are hereby amended, and that there be added to Article XII thereof an ad-  
7 ditional section to be numbered and known as section eleven (11), so as to read  
8 as follows;

## ARTICLE II.—ORGANIZATION AND EXEMPTIONS.

Sec. 1. The land force of the organized militia shall be designated as the Illinois National Guard and shall consist of not more than twenty-four (24) battalions of infantry, one battalion of artillery, one regiment of cavalry of nine (9) troops, a company of engineers, one signal corps, a medical department and a hospital corps, and shall be organized as a division under the command of a major general.

The organized naval militia shall be designated as the Illinois Naval Reserve, and in time of peace shall consist of a ship's crew or complement.

The Commander-in-Chief may consolidate, transfer, muster out, dishband and make such other changes in the organization of the Illinois National Guard and the Illinois Naval Reserve from time to time as the best interests of the service may require, and shall make such brigade and regimental organizations as may be necessary for the land forces, and such squadron and ship's crew organization as may be necessary for the naval force: *Provided*, That the number of general officers appointed to carry out such organization shall never exceed four.

Every officer, non-commissioned officer, musician, private or enlisted man of the Illinois National Guard or Illinois Naval Reserve shall be exempt from jury duty, from payment of road labor and head or poll-tax of every description during the time he shall hold a commission as an officer or be enrolled as an enlisted man in the Illinois National Guard or the Illinois Naval Reserve; the exemption from jury duty shall continue after discharge for a period equal to that honorably completed in the Illinois National Guard or Illinois Naval Reserve. The uniforms, arms and equipment of every member of the Illinois National Guard

24 or Illinois Naval Reserve shall be exempt from all suits, distresses, executions  
 25 or sales for debts or payment of taxes. The members thereof shall in all cases  
 26 except treason, felony or breach of peace, be privileged from arrest and impris-  
 27 onment by civil authority while under arms in the active service of the State,  
 28 from the date of the issuing of such orders to the time when such service shall  
 29 cease.

Sec. 2. The staff of the Commander-in-Chief shall consist of an Adjutant  
 2 General, with the rank of brigadier general, who shall be *ex officio* chief of staff,  
 3 quartermaster general, commissary general and chief of ordnance; an inspector  
 4 general; a general inspector of rifle practice; a surgeon general; a judge advo-  
 5 cate general, and an assistant adjutant general, who shall assist the adjutant gen-  
 6 eral in the discharge of his duties generally, and who shall perform the duties of  
 7 adjutant general in the absence of the adjutant general from the State, or in the  
 8 event of disability of the adjutant general; each with the rank of colonel; and  
 9 each and all of whom shall have previously served as an officer in either the Na-  
 10 tional Guard or Naval Reserve or the regular or volunteer forces of the United  
 11 States; and ten aides de camp, four of whom he may appoint in any grade not  
 12 above that of colonel, and all of whom shall have served in the National Guard  
 13 or Naval Reserve or the regular or volunteer forces of the United States; the  
 14 remaining six shall be appointed by the Governor from the commissioned officers  
 15 of the Illinois National Guard and Illinois Naval Reserve in active service of  
 16 grade below that of colonel, and their appointment shall operate as a commission  
 17 as aides de camp, but shall not add to the actual grade of the officer so appoint-  
 18 ed. Officers so appointed as aides de camp shall not be relieved from duty with  
 19 their respective organizations, but shall perform all duties pertaining thereto, ex-  
 20 cept when actually on duty as aides de camp under the orders of the Governor,



21 and shall hold such appointment as aides de camp at the pleasure of the Gov-  
 22 ernor.

Sec. 3. DUTIES OF THE ADJUTANT GENERAL—The Adjutant General shall is-  
 2 sue and transmit all orders of the Commander-in-Chief with reference to the mili-  
 3 tia, military and naval organizations of the State, and shall keep a record of all  
 4 officers commissioned by the Governor and all general and special orders and reg-  
 5 ulations, and all such matters as pertain to the organization of the state militia,  
 6 the Illinois National Guard and the Illinois Naval Reserve, and perform the du-  
 7 ties of adjutant general, quartermaster general, commissary general and chief of  
 8 ordnance. He shall have charge of the State armory, arsenal and arsenal  
 9 grounds, and all military camps, rifle ranges *and armories*, and shall receive and  
 10 issue all ordnance and ordnance stores, clothing, camp and garrison equipage,  
 11 subsistence stores and all other public property pertaining to the military and  
 12 naval forces of the State, on the order of the Commander-in-Chief. The Adjutant  
 13 General shall receive for his services the sum of \$3,500 per annum. The assistant  
 14 adjutant general shall receive for his services the sum of \$2,000 per annum. The  
 15 Adjutant General may appoint, with the approval of the Governor, an ordnance  
 16 sergeant for permanent duty at the arsenal at a salary not exceeding \$800 per  
 17 annum. The Adjutant General shall have charge of and carefully preserve the  
 18 colors, flags, guidons and military trophies of war belonging to the State, and  
 19 shall not allow the same to be loaned out or removed from their proper place of  
 20 deposit. He shall furnish, at the expense of the State, blanks and forms, and  
 21 such military and naval instruction books as shall be approved by the Command-  
 22 er-in-Chief. He shall also, on or before the first day of October next preceding  
 23 the regular session of the General Assembly make out a full and detailed report  
 24 of all the transactions of his office, with the receipts and expenditures of the



25 same for the preceding two years. In preparing his account of the money paid  
 26 out and expended, he will group the expenditures made from each separate ap-  
 27 propriation under the following sub-heads or titles:

#### NATIONAL GUARD.

- 28 1. Armory rent, fuel, light, janitor, etc.
- 29 2. Camp and garrison equipage, clothing and equipments.
- 30 3. Pay of officers and troops for camp duty and other duties ordered by the  
 31 Commander-in-Chief.
- 32 4. Transportation of officers and troops.
- 33 5. Subsistence of troops at each camp of instruction, practice march, or other  
 34 duty ordered by the Commander-in-Chief.
- 35 6. Horse hire and forage.
- 36 7. Rifle practice, including all expenses connected therewith, except pay of  
 37 officers and enlisted men and civilian employees.
- 38 8. Pay of permanent salaried officers, clerks, enlisted men and civil em-  
 39 ployees.
- 40 9. Miscellaneous expenses.
- 41 10. Total expenditures.

#### NAVAL RESERVE.

- 42 1. Armory rent, light, fuel, janitor, etc.

- 13        2. Camp and garrison equipage, clothing, equipments, tools and instruments.
- 44        3. Pay of officers and men for camp or cruise duty, and other duties ordered  
45 by the Commander-in-Chief.
- 46        4. Transportation of officers and men.
- 47        5. Subsistence of officers and men at each camp of instruction or practice  
48 cruise, or other duty ordered by the Commander-in-Chief.
- 49        6. Dockage and repairs.
- 50        7. Gun and small arms practice, and expenses immediately pertaining there-  
51 to.
- 52        8. Pay of permanent salaried officers, clerks, enlisted men and civil em-  
53 ployees.
- 54        9. Steam engineering department.
- 55        10. Miscellaneous expenses.
- 56        11. Total expenditures.

57        The Adjutant General shall also report the total unexpended balance of ap-  
58 propriation on hand, and shall also report upon such other matters at such times  
59 as shall be required by the Governor.

60        The Adjutant General and assistant adjutant general shall each reside at the  
61 State capital and hold their respective offices during the pleasure of the Gov-  
62 ernor.

Sec. 4. The Adjutant General shall direct and have charge of the purchase

2 of all military stores and supplies; purchase of supplies and stores not exceeding  
 3 \$100 in value shall be purchased in such manner as the Adjutant General may  
 4 direct. If such purchase require an expenditure exceeding \$100 and not exceed-  
 5 ing \$500, the Adjutant General shall secure written proposals to furnish such  
 6 supplies or stores from at least three parties, and shall purchase such supplies or  
 7 stores from the lowest responsible bidder.

8 If such purchase shall require the expenditure of a sum exceeding \$500, he  
 9 shall publicly advertise for at least ten days in one or more (not exceeding four)  
 10 newspapers of general circulation, published or circulated in districts where such  
 11 supplies or stores are manufactured, jobbed or wholesaled, for sealed proposals  
 12 for furnishing such supplies or stores, reserving the right to reject any or all  
 13 proposals: such proposals shall be accompanied by samples of the stores or sup-  
 14 plies proposed to be furnished, when the nature of such stores and supplies  
 15 makes it practicable so to do; such proposals shall be publicly opened by the Ad-  
 16 jutant General at the place, day and hour designated in such advertisement.

17 The Adjutant General shall, if the Governor approve, contract with the low-  
 18 est responsible bidder (proposing to furnish the quantity of stores or supplies  
 19 called for) to furnish such stores or supplies. A copy of all advertisements, pro-  
 20 posals and contracts shall be filed in the office of the Adjutant General.

21 The Adjutant General is authorized and directed to require a party who shall  
 22 contract to furnish such stores or supplies, before giving bond to the people of  
 23 this State in such sum and with such sureties as he shall direct, conditioned for the  
 24 faithful performance of such contract: in case of default, such bond shall be pros-  
 25 ecuted by the Attorney General, and all moneys recovered shall be turned in to the  
 26 State military fund. All stores, supplies or property purchased under con-

tract shall be rigidly inspected by an officer detailed for that purpose by the Commander-in-Chief, and compared with the samples furnished or with standard supplies and stores of like character, before the same shall be accepted or paid for.

If such stores and supplies so furnished under contract or proposal are defective and not equal in quantity, quality or value to those contracted to be furnished, the same shall be rejected.

The foregoing provisions shall apply in the matter of all purchases, except that in time of public danger, or when an emergency exists, and the Governor so decides, and so orders in writing, the Adjutant General may purchase, or authorize the purchase of stores and supplies in the open market sufficient for the needs of the emergency then existing, without requiring proposals, and without advertising for the same.

*All monies arising from the sale of damaged or surplus military stores and property, or from stores or property sold to the United States, shall be turned into the State treasury and shall constitute a fund to be known as the "State military fund," and to be kept separate from other funds and paid out by the Treasurer for general military purposes on proper vouchers certified by the Adjutant General and approved by the Governor.*

Sec. 5. *A Division shall consist of a Major General and the following staff, or so many of them as may be required:*

*An Assistant Adjutant General, Colonel, ex officio Chief of Staff of Division.*

*An Assistant Inspector General, Lieutenant Colonel,*



5     *An Ordnance Officer, Lieutenant Colonel, Inspector of Rifle Practice.*

6     *A Chief Surgeon, Lieutenant Colonel.*

7     *A Judge Advocate, Lieutenant Colonel.*

8     *A Chief Quartermaster, Lieutenant Colonel.*

9     *A Chief Commissary, Lieutenant Colonel.*

10    *Three Aides de Camp, Captains.*

11    *One Sergeant Major, one each Quartermaster, Commissary, Ordnance, Col-*  
 12 *or and Trumpeter Sergeants.*

13    *The following troops shall constitute a Division:*

14    *Three brigades of infantry.*

15    *One regiment of cavalry.*

16    *One battalion of light artillery.*

17    *One company of engineers.*

18    *One signal corps.*

Sec. 6. A brigade of infantry shall consist of a brigadier general and the  
 2 following staff, or so many of them as may be required:

3     An Assistant Adjutant General, Lieutenant Colonel.



4 An Assistant Inspector General, Lieutenant Colonel.

5 An Ordnance Officer, Lieutenant Colonel, Inspector of Rifle Practice.

6 A Surgeon, Lieutenant Colonel.

7 A Judge Advocate, Lieutenant Colonel.

8 A Quartermaster, Major.

9 A Commissary, Major.

10 Two Aides de Camp, First Lieutenants.

11 One Sergeant Major, and one each Quartermaster, Commissary, Ordnance,  
12 Color and Trumpeter Sergeants.

13 A brigade shall consist of not less than two (2) nor more than four (4)  
14 regiments.

15 Non-commissioned officers of the *division and the* brigades shall be appoint-  
16 ed and warranted by the general commanding the *division and the* brigades re-  
17 spectively. They shall receive an honorable discharge from the service at the  
18 pleasure of the commanding general or at the expiration of term of service un-  
19 less sooner discharged by process of law.

Sec. 7. A regiment of infantry shall consist of one colonel, one lieuten-  
2 ant colonel, and regimental staff consisting of one adjutant, with rank of cap-  
3 tain; one quartermaster, with rank of captain; one commissary, with rank of  
4 captain; *one ordnance officer*, inspector of rifle practice, with rank of captain;

one chaplain, with rank of captain; one sergeant major; one quartermaster sergeant; one commissary sergeant; one ordnance sergeant; one chief trumpeter; two color sergeants; one band; and not less than two nor more than three battalions; and not less than eight nor more than twelve companies.

Sec. 8. A battalion of infantry shall consist of one major and a battalion staff consisting of one adjutant, with rank of first lieutenant; *one quartermaster and commissary of subsistence, with the rank of second lieutenant*; one sergeant major; one quartermaster sergeant; one trumpeter sergeant; and not less than two nor more than four companies. The commissioned staff of an unassigned battalion shall be the same as that of a regiment, except that the rank of its members shall be that of first lieutenant; the non-commissioned staff shall be the same as that of a regiment with but one color sergeant.

Sec. 9. A company of infantry shall consist of one captain, one first lieutenant, one second lieutenant, one first sergeant, one quartermaster sergeant, four sergeants, two musicians, one artificer, *six corporals*, two cooks, and forty-one privates as a minimum and seventy privates as a maximum.

Sec. 10. A regiment of cavalry shall consist of one colonel, one lieutenant colonel, and a regimental staff consisting of one adjutant, with rank of captain; one quartermaster with rank of captain; one commissary, with rank of captain; one ordnance officer, *inspector of rifle practice*, with rank of captain; one chaplain, with rank of captain; one veterinary surgeon, with rank of captain; one sergeant major; one quartermaster sergeant; one ordnance sergeant; one commissary sergeant; two color sergeants; one saddler sergeant; one farrier sergeant; one chief trumpeter; one band; and not less than two nor more than three squadrons and not more than nine troops.

Sec. 11. A squadron of cavalry shall consist of one major and a commissioned staff the same as that of a battalion, a non-commissioned staff the same as that of a battalion, and not less than two nor more than four troops.

Sec. 12. A troop of cavalry shall consist of one captain, one first lieutenant, one second lieutenant, one first sergeant, one quartermaster sergeant, four sergeants, *six* corporals, two trumpeters, two cooks, one farrier, one blacksmith, one saddler, and *thirty-nine* privates as a minimum, and two additional corporals and forty-three privates as a maximum.

Sec. 13. A battalion of artillery shall consist of one major and a commissioned staff the same as that of an unassigned battalion, with the addition of a veterinary surgeon with the rank of first lieutenant and a non-commissioned staff the same as that of an unassigned battalion, and not less than two nor more than four batteries.

Sec. 14. A battery of artillery shall consist of one captain, one first lieutenant, two second lieutenants, one first sergeant, one quartermaster sergeant, *one stable sergeant, six sergeants, twelve corporals*, four artificers, two trumpeters, two cooks, and *one hundred four (104)* privates as a minimum.

Sec. 15. A band shall consist of one chief musician, two principal musicians, one drum major, four sergeants, eight corporals, two cooks, and from twelve to twenty-four privates.

Sec. 16. A company of engineers shall consist of one captain, three first lieutenants, *one first sergeant, one quartermaster sergeant, four sergeants, six corporals*, two cooks, *two musicians, twenty-one privates, first class, and twenty-one privates, second class*, as a minimum.

Sec. 17. A signal corps shall consist of one captain, three first lieutenants, *five sergeants, first class, five sergeants*, ten corporals, two cooks, *eighteen privates, first class, and eighteen privates, second class, as a minimum.*

Sec. 18. The medical department shall consist of one surgeon general, with rank of colonel, as prescribed in section 2, article 1; *for the division and each brigade of the Illinois National Guard*, one assistant surgeon general, with the rank of lieutenant colonel, who shall be designated chief surgeon of the division and brigade to which he is assigned; for each regiment of the Illinois National Guard, one surgeon, with rank of major; for each regiment and battalion of artillery of the Illinois National Guard, one assistant surgeon with rank of captain; for each regiment of infantry and cavalry and battalion of artillery, two assistant surgeons, with rank of first lieutenant; for each regiment of infantry and cavalry, one acting assistant surgeon, with rank of first lieutenant as dental surgeon; as secretary to the surgeon general, one assistant surgeon with the rank of first lieutenant, to keep the records of the department and act in the capacity of adjutant thereof; for the naval force a surgeon with the rank of lieutenant commander; two past assistant surgeons with the relative rank of lieutenant; four assistant surgeons with the relative rank of lieutenant junior grade; and a hospital corps, consisting of one hospital steward, assigned to the office of surgeon general; one hospital steward to each brigade headquarters; one hospital steward for each regiment of infantry, cavalry and battalion of artillery, and one acting hospital steward for each battalion of infantry, squadron of cavalry and battery; and for the naval reserve one pharmacist to be a warrant officer, and such number of apothecaries (not exceeding four) as the commanding officer of the naval reserve may direct, and hospital corps privates in the ratio of two for each company of infantry,



troop of cavalry, battery of artillery, signal corps and engineer company, and for the naval reserve such number of hospital attendants or laymen as the commanding officer may direct, upon the approval of the surgeon general.

Sec. 19. *The naval reserve shall consist of one captain; one commander, who shall be executive officer; one lieutenant commander, who shall be navigating officer; one lieutenant, who shall be ordnance officer; one lieutenant, who shall be equipment officer; a staff consisting of one lieutenant commander, who shall be chief engineer; one lieutenant commander, who shall be paymaster; one lieutenant, who shall be past assistant paymaster; one lieutenant, junior grade, who shall be an assistant paymaster; one lieutenant, who shall be chaplain; one lieutenant, junior grade, who shall be signal officer; one lieutenant, junior grade, who shall be secretary; two ensigns, who shall be aides de camp; one band and ten divisions, two of which shall be (steam) engineer divisions. There shall also be allowed on the staff of the naval reserve such number of warrant officers, not exceeding eight, and petty officers as the Commander-in-Chief may from time to time direct.*

Sec. 20. The Commander-in-Chief may, at his discretion, to promote the efficiency of the service, subdivide the ten divisions into battalions of five divisions each (one of which shall be an engineer division). When battalions are organized, each battalion shall be commanded by a commander and to each battalion there shall be allowed the following additional commissioned officers: One lieutenant commander who shall be chief executive officer of the battalion; one lieutenant who shall be the navigating and ordnance officer of the battalion; one signal officer with the rank of ensign. There shall be allowed to each battalion staff such number of petty officers as the Commander-in-Chief shall from time to time order and direct.



Sec. 21. *A division shall consist of one lieutenant; one lieutenant, junior grade; two ensigns; one boatswain's mate, first class; one gunner's mate, first class; one quartermaster, first class; one master-at-arms, second class; one boatswain's mate, second class; one gunner's mate, second class; one quartermaster, second class; one yeoman, second class; one gunner's mate, third class; one quartermaster, third class; two musicians; one coxswain for every twenty seamen; and thirty seamen as a minimum and eighty seamen as a maximum.*

Sec. 22. *A (steam) engineer division shall consist of one lieutenant, who shall be past assistant engineer; one lieutenant, junior grade, who shall be past assistant engineer; two ensigns who shall be assistant engineer; and not to exceed four chief machinist's mates; six machinist's mates, first class; two electricians, first class; eight machinist's mates, second class; two electricians, second class; one yeoman, second class; two musicians; four oilers, third class; eight water tenders; eight firemen, first class; twenty-four firemen, second class; and twenty-four coal-passers.*

Sec. 23. *The band of the naval reserve shall consist of one chief musician; one drum major; two principal musicians; four musicians, first class; eight musicians, second class; and twenty-four seamen musicians.*

Sec. 24. *The chief engineer, signal officer, secretary, and aides de camp, shall not be considered to be "staff" officers, but shall be line officers, and as such entitled to assume command.*

Sec. 25. *Whenever the naval reserve, or any part thereof, shall be in the field or afloat upon actual service, the senior officer present shall command same, and whenever operating or acting in conjunction with the land forces of*

4 the militia of the State, the senior officer present, according to relative rank  
 5 of either force, shall command the whole, unless otherwise specially ordered  
 6 or directed by the Commander-in-Chief, or other competent military or naval  
 7 authority. But no officer of the staff shall be entitled by virtue of his rank to  
 8 assume command when officers of the line are present and capable of assuming  
 9 command, unless expressly authorized so to do by law, or by the terms of his  
 10 commission, where an officer of similar rank and position in the United States  
 11 navy service would not be entitled to assume command, unless by express di-  
 12 rections of the Commander-in-Chief or other competent authority.

Sec. 26. The naval forces shall not be considered as attached to any divis-  
 2 ion or brigade of the land forces of the State, but shall be under the direct com-  
 3 mand of the Commander-in-Chief. The Commander-in-Chief may, however, at-  
 4 tach the naval forces temporarily for military purposes, in case of actual ser-  
 5 vice, to any division or brigade of the State troops, should he deem proper so  
 6 to do, and to place it under the command of the commanding officer thereof.  
 7 Nothing in this Act contained shall be construed as exempting the naval forces  
 8 from being called into the service of the State, or of the United States, in case of  
 9 war, rebellion, riot or insurrection, or to aid in the enforcement of the laws of  
 10 the State, or of the United States, in the same manner as provided by law for  
 11 the land forces of the State troops. When called into the service of the State, or  
 12 of the United States, for any purpose, they shall be liable to perform such du-  
 13 ties as may be required of them, either on shore or afloat.

Sec. 27. *The captain commanding the naval reserve, the executive, navigat-*  
 2 *ing, ordnance and equipment officers, shall be elected by the division officers and*  
 3 *when confirmed by the Commander-in-Chief, those above the rank of lieutenant*

4 shall hold their office for five years, those officers of the rank of lieutenant shall  
 5 hold their office for three years. The ordnance and equipment officers in the order  
 6 named shall be senior to all others of the same rank.

7 Division officers shall be elected by the members of their divisions and when  
 8 confirmed by the Commander-in-Chief shall hold office three years.

Sec. 28. All persons elected or appointed to any commissioned office below  
 2 the rank of lieutenant commander, with the exception of the past assistant pay-  
 3 master and the chaplain shall, before any commission be issued to them, be re-  
 4 quired to pass a satisfactory examination as to their fitness and capacity for such  
 5 office. But no person re-elected or reappointed to any such office shall be required  
 6 to pass such examination upon such re-election or reappointment.

Sec. 29. The Commander-in-Chief shall have power to establish by rule and  
 2 regulation the character of examinations required of persons recommended  
 3 for appointment or election to office in the naval reserve, and to appoint exam-  
 4 ining boards, for the purpose of holding and conducting such examinations.  
 5 Such boards may be general for the purpose of examining all persons elect-  
 6 ed or recommended for appointment to any grade or office, or may be special  
 7 for the examination of particular persons, as the Commander-in-Chief may di-  
 8 rect. Such boards may be composed in whole or in part of officers of the  
 9 United States navy service. It shall be the duty of the Adjutant General to no-  
 10 tify all persons elected or recommended for appointment to any commissioned  
 11 office and subject to examination, to appear before the proper examining board  
 12 for examination at such time as the Commander-in-Chief may direct. No per-  
 13 son who may be elected or recommended for appointment to any office, and



14 who shall fail to pass the required examination, or whose election or appoint-  
 15 ment shall be disapproved by the Commander-in-Chief, shall be eligible for  
 16 election or appointment to such office for at least one year thereafter.

Sec. 30. All petty officers of divisions, on recommendation of the com-  
 2 manding officer of their divisions, shall be appointed by warrant by the com-  
 3 manding officer of the naval reserve, provided they shall have passed an exam-  
 4 ination prescribed by the officer issuing the warrant.

5 The commanding officer of the naval reserve is empowered to detail an offi-  
 6 cer or officers to conduct such examinations.

Sec. 31. The Commander-in-Chief shall have power to assign any officer,  
 2 warrant or petty officer, or seaman of the United States navy detailed for or  
 3 assigned to duty with the naval brigade, as instructor or otherwise, to such du-  
 4 ties as he may deem proper and suitable, and shall have power to confer upon  
 5 any such officer, warrant or petty officer, or seaman, such rank in the naval ser-  
 6 vice of the State, during such detail or assignment as he may deem best.

Amend Section 1, Article IV, to read as follows:

Sec. 1. The assistant surgeons general shall be assigned to the staffs of the  
 2 *division and* brigade commanders, and shall be appointed and commissioned by  
 3 the Commander-in-Chief upon the recommendation of the respective *division*  
 4 and brigade commanders concurred in by the surgeon general; surgeons with  
 5 the rank of major, or relative rank of lieutenant commander in the naval re-  
 6 serve, shall be assigned to regiments of infantry and cavalry and the naval re-  
 7 serve; respectively, and shall be appointed and commissioned by the Command-  
 8 er-in-Chief upon the recommendation of the several regimental commanders,

9 and the commander of the naval reserve, respectively, concurred in by the sur-  
10 geon general, and after having passed such examination as the surgeon general  
11 may prescribe, assistant surgeons with the rank of captain and past assistant  
12 surgeons with the rank of lieutenant in the naval reserve, shall be assigned to  
13 regiments of infantry, cavalry and battalions of artillery and the naval reserve,  
14 respectively, and shall be appointed and commissioned by the Commander-in-  
15 Chief upon the recommendation of the respective regimental commanders, the  
16 artillery battalion commander and the commander of the naval reserve, re-  
17 spectively, concurred in by the surgeon general, and after having passed such  
18 examination as the surgeon general shall prescribe; the assistant surgeon, with  
19 the rank of first lieutenant, as secretary to the surgeon general, shall be ap-  
20 pointed and commissioned upon the recommendation of that officer; other as-  
21 sistant surgeons, with the rank of first lieutenant, shall be assigned in the  
22 proportion of two to each regiment of infantry, cavalry and battalion of artil-  
23 lery and assistant surgeons with the rank of lieutenant, junior grade, in the  
24 naval reserve, to the naval reserve, in such manner as to subserve the best in-  
25 terests of that service, and shall be appointed and commissioned by the Com-  
26 mander-in-Chief upon the recommendation of the several regimental command-  
27 ers, artillery battalion commander and the commander of the naval reserve,  
28 respectively, concurred in by the surgeon general, and after having passed  
29 such an examination as the surgeon general may prescribe; the acting assist-  
30 ant surgeons as dental surgeons, with the rank of first lieutenant, shall be as-  
31 signed to the regiments of infantry and cavalry, and shall be appointed and  
32 commissioned by the Commander-in-Chief, upon the recommendation of the re-  
33 spective regimental commanders, concurred in by the surgeon general, and after  
34 having passed such examination as the surgeon general may prescribe.



Amend Section 2, Article IV, to read as follows:

Sec. 2. Assistant surgeon of the original grade of first lieutenant (*in the*  
 2 *National Guard*) or lieutenant, junior grade (*in the naval reserve*), provided  
 3 for in the preceding section, shall after five years of service be entitled to the  
 4 rank of captain or lieutenant respectively.

Amend Article XII by adding thereto a new section, to be numbered and  
 known as section 11:

Sec. 11. A person, who either by himself or with another, wilfully de-  
 2 prives a member of the National Guard or naval reserve of his employment, or  
 3 prevents his being employed by himself or another, or obstructs or annoys said  
 4 member of said National Guard or naval reserve or his employer in respect of  
 5 his trade, business or employment, because said member of said National  
 6 Guard or naval reserve is such member, or dissuades any person from enlist-  
 7 ment in the said National Guard or naval reserve by threat of injury to him in  
 8 case he shall so enlist, in respect of his employment, trade or business, shall be  
 9 deemed guilty of misdemeanor, and upon conviction thereof shall be fined in  
 10 any sum not exceeding five hundred dollars (\$500). And it shall be the duty of  
 11 the State's attorney of the county wherein said information is made or offense  
 12 committed, to prosecute said action in the name of the People of the State of  
 13 Illinois.

- 1 Introduced by Mr. Landmesser, February 14, 1907.
- 2 Read by title, ordered printed and referred to Committee on Warehouses.

## A BILL

For an act amending an act entitled, "An Act to regulate public warehouses and the warehousing and inspection of grain and to give effect to Article Thirteen of the Constitution of this State," approved April 25, 1871, in force July 1, 1871, by adding thereto the following sections, numbered 21 A to 26 A inclusively.

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That an act entitled "An Act to regulate  
3 public warehouses and the warehousing and inspection of grain and to give effect  
4 to Article 13 of the Constitution of this State," approved April 25, 1871, in force  
5 July 1, 1871, be and the same is hereby amended by adding thereto the follow-  
6 ing sections, numbered from 21 A to 26 A inclusively:

Sec. 21 A. The owner, lessee or manager of any public warehouse of Class C  
2 shall be required, before transacting any business in such warehouse, to pro-  
cure from the proper authorities of cities and villages in which such warehouse

4 is situated, a license, permitting such owner, lessee or manager to transact busi-  
 5 ness as a public warehouseman under the laws of this State, which license shall  
 6 be issued by such authorities of such cities and villages upon the written appli-  
 7 cation, which shall set forth the location and name of each person interested as  
 8 owner or principal in the management of the same, or if the warehouse be man-  
 9 aged or owned by a corporation, the names of the president, secretary and treas-  
 10 urer of such corporation shall be stated; and such owner or manager shall be  
 11 compelled to pay such license fee as may be fixed by such city or village; and  
 12 such license shall give authority to carry on and conduct the business of a public  
 13 warehouse of Class C in accordance with the laws of this State, and may be re-  
 14 voked by such city or village authorities upon a complaint of any person in writ-  
 15 ing, setting forth the particular violation of law, and upon satisfactory proof of  
 16 such violation.

Sec. 22 A. The person, firm or corporation receiving a license as in Section  
 2 21 A provided, shall file with such city or village authorities, a bond to the  
 3 People of the State of Illinois, with good and sufficient surety, to be approved by  
 4 such city and village authorities, in the penal sum of \$10,000, conditioned for  
 5 the faithful performance of his or its duty as a public warehouse of Class C  
 6 and the full and unreserved compliance with all the laws of this State in re-  
 7 lation thereto.

Sec. 23 A. Any person, firm or corporation, who shall transact the business  
 2 of a public warehouse of Class C without first procuring a license as herein pro-  
 3 vided, or who shall continue to transact any such business after such licen-  
 4 has been revoked (save only that he or it may be permitted to deliver proper  
 5 previously stored in such warehouse) shall, on conviction, be fined in a sum not

6 less than \$100 nor more than \$500 for each and every day such business is so  
7 carried on; and the city or village authorities may refuse to renew any license  
8 or grant a new one to any of the persons whose license has been revoked within  
9 one year from the time the same was revoked, and such warehouseman shall be  
10 subject to all the liabilities and penalties of warehousemen of Class A and B.

Sec. 24 A. The issuance and cancellation of receipts shall be governed as nearly  
2 as possible by the same general rules as are herein provided for the issuance  
3 and cancellation of receipts of warehouses of Class A.

Sec. 25 A. Every warehouseman of public warehouses of Class C shall be  
2 required, during the first week in January of each year, to publish in one or  
3 more of the newspapers (daily, if there be such) in the city or village in which  
4 such warehouse is situated, a table or schedule of rates for the storage of prop-  
5 erty, which rates shall not be increased during the year, and such rates shall be  
6 uniform as near as may be, and shall at no time exceed or amount to more than  
7 four cents a square foot of floor space per annum: *Provided, however,* That any  
8 warehouse coming within Class C, but storing meats, fish, eggs, butter, fruit or  
9 any other perishable foodstuffs or farm products may charge a rate not to exceed  
10 eight cents per square foot of floor space per annum.

Sec. 26 A. The city or village authorities shall have the right to inspect all  
2 warehouses of Class C at any time they may deem it necessary and proper and  
3 for this purpose such warehouseman shall permit any duly authorized person  
4 to enter in and upon said premises.





- 1 Introduced by Mr. Lantz, by request, February 14, 1907.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

## A BILL

For an act relating to imprisonment for debt.

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That hereafter, any person who willfully  
3 refuses to pay upon demand any debt contracted for any necessities, wearing  
4 apparel, or article of merchandise, or money loaned or advanced when such per-  
5 son has property or income sufficient to pay or satisfy such debt or demand, such  
6 person shall be liable to arrest upon an execution against his body in the manner  
7 prescribed and with the same effect and penalties as is now provided in an act  
8 entitled "An act in regard to judgments and decrees and the manner of enforce-  
9 ing the same by execution and to provide for the redemption of real estate sold  
10 under execution or decree," approved March 22, 1872, in force July 1, 1872.

Sec. 2. All acts or parts of acts in conflict herewith are hereby repealed.



- 1 Introduced by Mr. Lawrence, February 14, 1907.
- 2 Read by title, ordered printed and referred to Committee on Roads and Bridges.

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## A BILL

For an act to amend section 1 of an act entitled, "An Act to authorize the construction and maintenance of gravel, rock, macadam or other hard roads," approved June 18, 1883, and in force July 1, 1883.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That section one (1) of an act entitled,  
3 "An Act to authorize the construction and maintenance of gravel, rock, ma-  
4 cadam or other hard roads," approved June 18, 1883, and in force July 1,  
5 1883, be and the same is hereby amended so as to read as follows:

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That on the petition of fifty land owners,  
3 who are legal voters, of any township, to the town clerk thereof, in counties  
4 under township organization, or road districts in counties not under township

5 organization, to the county clerk, he shall, when giving notice of the time and  
6 place for holding the next annual town meeting or road district meeting also  
7 give notice that a vote will be taken at said election for or against levy-  
8 ing a tax not to exceed one dollar on each one hundred dollars assessed val-  
9 uation of all the taxable property, including railroads, in the township or road  
10 districts, for the purpose of constructing and maintaining gravel, rock, ma-  
11 cadam or other hard roads: *Provided, That where such petition is signed by*  
12 *not less than fifty per cent of the land owners, who are legal voters, of any*  
13 *township or road district, as aforesaid, the town clerk or county clerk, as the*  
14 *case may be, shall give the notice as aforesaid.* Said petition shall state the  
15 location and route of the proposed road or roads, not exceeding two; and shall  
16 also state the rate per cent, not exceeding one dollar on each one hundred dol-  
17 lars, and the number of years, not exceeding five, for which said tax shall be  
18 levied.

- 1 Introduced Mr. McGoorty, by request, February 14, 1907.
- 2 Read by title, ordered printed and referred to Committee on Claims.

## A BILL

For an act to make an appropriation for the payment of the amounts awarded by the Court of Claims to certain persons named therein.

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
*represented in the General Assembly:* That there be, and is hereby, appropri-  
ated to J. B. Hayden and Mary F. McCormick, the sum of four hundred dol-  
lars for a like sum of money paid to the Treasurer of the State of Illinois,  
under section 10 of an act entitled, "An Act to create free employment  
offices in cities, of certain designated population, and to provide for the main-  
tenance, management and control of same, and to prevent private imita-  
tions of the name of the same and regulate private employment agencies,"  
passed and approved April 11, 1899, which act was held to be unconstitutional  
by the Supreme Court of the State of Illinois on the 24th day of April, A. D.  
1903.



12       Awarded by the Court of Claims December 15, 1906, to S. B. Brierly the  
 13 sum of four hundred dollars for a like sum of money paid to the Treasurer of  
 14 of the State of Illinois, under section 10 of an act entitled, "An Act to create  
 15 free employment offices in cities of certain designated population, and to pro-  
 16 vide for the maintenance, management and control of same, and to prevent  
 17 private imitations of the name of the same and regulate private employment  
 18 agencies," passed and approved April 11, 1899, which act was held to be un-  
 19 constitutional by the Supreme Court of the State of Illinois on the 24th day of  
 20 April, A. D. 1903.

21       Awarded by the Court of Claims, December 15, 1906, to Charles W. Dun-  
 22 ham, the sum of two hundred dollars for a like sum of money paid to the  
 23 Treasurer of the State of Illinois under section 10 of an act entitled, "An  
 24 Act to create free employment offices in cities, of certain designated popula-  
 25 tion, and to provide for the maintenance, management and control of same  
 26 and to prevent private imitations of the name of the same and regulate private  
 27 employment agencies," passed and approved April 11, 1899, which act was held  
 28 to be unconstitutional by the Supreme Court of the State of Illinois on the 24th  
 29 day of April, A. D. 1903.

Sec. 2. The Auditor of Public Accounts is hereby authorized and di-  
 2 rected to draw his warrant on the State Treasurer in favor of said persons,  
 3 respectively, for the amounts herein appropriated, payable out of any money  
 4 in the Treasury not otherwise appropriated.

- 1 Introduced by Mr. McRoberts, February 14, 1907.
- 2 Read by title, ordered printed and referred to Committee on Revenue.

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## A BILL

For an act to amend sections 6, 10 and 19 of an act entitled "An Act to tax gifts, legacies and inheritances in certain cases, and to provide for the collection of the same," approved June 15, 1895, in force July 1, 1895, as amended by the acts of May 10, 1901.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That sections 6, 10 and 19 of an act enti-  
3 tled "An Act to tax gifts, legacies and inheritances in certain cases and to pro-  
4 vide for the collection of the same," approved June 15, 1895, in force July 1,  
5 1895, as amended by the acts of May 10, 1901, be and the same hereby are amend-  
6 ed so as to read as follows:

Sec. 6. Every sum of money retained by an executor, administrator or trustee,  
2 or paid into his hands for any tax on any property, shall be paid by him with-  
3 in thirty days thereafter to the treasurer of the proper county, and the said

4 treasurer or treasurers shall give, and every executor, administrator or trustee shall take duplicate receipts from him of said payments, one of which  
 5 receipts he shall immediately send to the State Treasurer, whose duty it  
 6 shall be to charge the treasurer so receiving the tax with *one-half* the amount  
 7 thereof, and shall seal said receipt with the seal of his office and countersign the  
 8 same and return it to the executor, administrator or trustee, whereupon it shall  
 9 be a proper voucher in the settlement of his accounts; but the executor, administrator or trustee shall not be entitled to credit in his accounts, or be discharged  
 10 from liability for such tax, unless he shall produce a receipt so sealed and countersigned by the treasurer and a copy thereof certified by him.

Sec. 10. When any amount of said tax shall have been paid erroneously  
 2 to the State Treasurer, or *any county treasurer*, it shall be lawful for him, on  
 3 satisfactory proof rendered to him of said erroneous payments, to refund and  
 4 pay to the executor, administrator or trustee, person or persons who have paid  
 5 any such tax in error, the amount of such tax so paid to him: *Provided*, That  
 6 all applications for the repayment of said tax shall be made within two years  
 7 from the date of said payment; and the proof of such erroneous payment shall  
 8 be filed and preserved by the treasurer.

Sec. 19. The treasurer of each county shall collect all taxes that may be  
 2 due and payable under this Act; *from the taxes collected he shall pay one-half*  
 3 *to the State Treasurer and from the remainder he shall deduct all costs and expenses of ascertaining said tax and of collection, as is now, or may hereafter*  
 4 *be provided, and shall pay the balance to the treasurer of the proper county,*  
 5 *namely: The taxes collected from personal estates to the treasurer of the county*  
 6 *wherein administration of said estate is had, and the taxes collected from real*  
 7 *estate to the treasurer of the county or counties in which such real estate is sit-*

uated, paying to the treasurer of each county the tax collected on account of the  
real estate situated in that county. The tax paid to the county treasurer as  
aforesaid shall by him be placed to the credit of the county for general county  
purposes. The treasurer collecting the tax shall make a report under oath to  
the Auditor of Public Accounts on the first Monday in March and September of  
each year of all collections and payments made by him, stating for what estate  
paid, and in such form and containing such particulars as the Auditor may pre-  
scribe. The treasurer of each county for all said taxes collected by him payable  
to the State Treasurer and not paid to the State Treasurer by the first of Octo-  
ber and April of each year, shall pay interest at the rate of ten per cent per  
annum.





- 1 Introduced by Mr. Pierson, February 14, 1907.
- 2 Read by title, ordered printed and referred to Committee on Judicial Department and Practice.

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## A BILL

For an act to amend section 87 of an act entitled, "An Act in regard to practice in courts of record, approved February 22, 1872, in force July 1, 1872," as amended by act approved June 2, 1877, in force July 1, 1877.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That section 87 of an act entitled, "An  
3 Act in regard to practice in courts of record, approved February 22, 1872, in  
4 force July 1, 1872," as amended by act approved June 2, 1877, in force July  
5 1, 1877, be amended to read as follows:

6 "If any final determination of any cause, as specified in the preced-  
7 ing sections, shall be made by the Appellate Court, as the result wholly or in  
8 part of the finding of the facts concerning the matter in controversy, different  
9 from the finding of the court from which such cause was brought by appeal or

10 writ of error, it shall be the duty of such Appellate Court to recite in its  
11 final order, judgment or decree the facts as found, and the judgment of the  
12 Appellate Court shall be final and conclusive as to all matters of fact in con-  
13 troversy in such cause: *Provided, however, That this section shall not apply*  
14 *to cases at law, tried by a jury in the court below, but such cases shall be re-*  
15 *examined in said Appellate Court as to errors of law only."*

1 Introduced by Mr. Pogue, February 14, 1907.

2 Read by title, ordered printed and referred to Committee on Manufactures.

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## A BILL

For an act to prohibit unfair commercial discrimination between different sections, communities or localities, or unfair competition, and providing penalties therefor,

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That any person, firm, company, association or corporation, foreign or domestic, doing business in the State of Illinois, and engaged in the production, manufacture or distribution of any commodity in general use, that shall intentionally, for the purpose of destroying the business of a competitor in any locality, discriminate between different sections, communities or cities of this State, by selling such commodity at a lower rate in one section, community or city, than is charged for said commodity by said party in another section, community or city, after making due allowance for the difference, if any, in the grade or quality, and in the actual cost of transportation from the point of production, if a raw product, or from the point of manufacture, if

12 a manufactured product, shall be deemed guilty of unfair discrimination, which  
 13 is hereby prohibited and declared unlawful.

Sec. 2. Any person, firm or company, association or corporation violating  
 2 any of the provisions of the preceding section, and any officer, agent or receiver  
 3 of any firm, corporation, association or corporation, or any member of the same,  
 4 or any individual, found guilty of a violation thereof, shall be fined not less than  
 5 five hundred (\$500.00) dollars, nor more than five thousand (\$5,000.00) dollars,  
 6 or be imprisoned in the county jail not to exceed one year, or suffer both penal-  
 7 ties.

Sec. 3. All contracts or agreements made in violation of any of the provis-  
 2 ions of the two preceding sections shall be void.

Sec. 4. It shall be the duty of the prosecuting attorneys, in their counties,  
 2 and the attorney-general, to enforce the provisions of the preceding sections of  
 3 this Act by appropriate actions in courts of competent jurisdiction.

Sec. 5. If complaint shall be made to the Secretary of State that any cor-  
 2 poration authorized to do business in this State is guilty of unfair discrimina-  
 3 tion, within the terms of this Act, it shall be the duty of the Secretary of State  
 4 to refer the matter to the attorney-general, who may, if the facts justify it in  
 5 his judgment, institute proceedings in the courts against such corporation.

Sec. 6. If any corporation, foreign or domestic, authorized to do business in  
 2 this State, is found guilty of unfair discrimination, within the terms of this Act,  
 3 it shall be the duty of the Secretary of State to immediately revoke the permit  
 4 of such corporation to do business in this State.

Sec. 7. If, after revocation of its permit, such corporation, or any other  
2 corporation not having a permit, and found guilty of having violated any of the  
3 provisions of this Act, shall continue or attempt to do business in this State,  
4 it shall be the duty of the attorney-general, by a proper suit in the name of the  
5 State of Illinois, to oust such corporation from all business of every kind and  
6 character in said State of Illinois.

Sec. 8. Nothing in this Act shall be construed as repealing any other act,  
2 or part of act, but the remedies herein provided shall be cumulative to all other  
3 remedies provided by law.





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- 1 Introduced by Mr. Provine, by request, February 14, 1907.
  - 2 Read by title, ordered printed and referred to Committee on Municipal Corporations.

## A BILL

For an act to amend section eight of an act entitled, "An Act concerning local improvements," approved June 14, 1897, and as amended by an act of the General Assembly of the State of Illinois, approved May 9, 1901, in force May 9, 1901.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 8 of "An Act concerning local improvements," approved June 14, 1897, in force July 1, 1897, and as amended May 9, 1901, in force May 9, 1901, be and the same is hereby amended so as to read as follows:

Sec. 8. PUBLIC HEARING—At the time and place fixed in said notice for the public hearing, the said board shall meet and hear the representations of any person desiring to be heard on the subject of the necessity for the propos-

ed improvement, the nature thereof, or the cost as estimated. In case any person shall appear to object to the proposed improvement or any of the elements thereof, said board shall adopt a new resolution abandoning the said proposed scheme or adhering thereto, or changing, altering or modifying the extent, nature, kind, character and estimated cost, provided such change shall not increase the estimated cost of the improvement to exceed twenty (20) per centum of the same without a further public hearing thereon, as it shall consider most desirable; and thereupon, if the said proposed improvement be not abandoned, the said Board shall cause an ordinance to be prepared therefor, to be submitted to the council or board of trustees (as the case may be). Such ordinance shall prescribe the nature, character, locality and description of such improvement and shall provide whether the same shall be made wholly or in part by special assessment or special taxation of contiguous property; and, if in part only, shall so state.

If property is to be taken or damaged for said improvement, such ordinance shall describe the same with reasonable certainty.

In cities, towns and villages, within the terms of this Act, when a remonstrance petition is filed by the owners of a majority of the frontage on the line of the proposed improvement with the board of local improvements within thirty (30) days after the public hearing thereon, said board shall thereupon stay all proceedings therein for one year from said date.

The remonstrance above referred to, to be filed with the board, shall contain the signatures of the owners or legal representatives, the description of the property owned or represented, the number of feet so owned or represented and shall be verified by affidavit of one or more property owners fronting on

29 the line of the proposed improvement, setting forth that the party making  
30 the affidavit is a property owner, fronting on the proposed improvement, and  
31 the parties who signed the same are the owners or legal representatives of the  
32 property described therein.

Sec. 8A. WHEREAS, An emergency exists, therefore this Act shall be in  
2 force from and after its passage and approval.





- 1 Introduced by Mr. Provine, by request, February 14, 1907.
- 2 Read by title, ordered printed and referred to Committee on Municipal Corporations.

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## A BILL

For an act to amend section four of an act entitled, "An Act concerning local improvements," approved June 14, 1897, and as amended by an act of the General Assembly of the State of Illinois, approved April 19, 1899, and in force July 1, 1899, and as amended by an act of the General Assembly of the State of Illinois, approved May 18, 1905, and in force July 1, 1905.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That section 4 of "An Act concerning  
3 local improvements," approved June 14, 1897, in force July 1, 1897, and as  
4 amended by "An Act to amend section 4 of an act entitled, 'An Act con-  
5 cerning local improvements, approved June 14, 1897, in force July 1, 1897,' ap-  
6 proved April 19, 1899, and in force July 1, 1899, and as amended by  
7 "An Act to amend section 4 of an act entitled 'An Act concerning local

8 improvements,' approved June 14, 1897, in force July 1, 1897,' approved  
9 April 19, 1899, and in force July 1, 1899,' approved May 18, 1905, and in  
10 force July 1, 1905, be and the same is hereby amended so as to read as fol-  
11 lows:

Sec. 4. When any city, town or village shall by ordinance provide for  
2 the making of any local improvement, it shall by the same ordinance prescribe  
3 whether the same shall be made by special assessment or by special taxation  
4 of contiguous property or general taxation, or both. But in cities, towns or  
5 villages having a population of less than fifty thousand (50,000), ascertained  
6 as aforesaid, no ordinance for making any local improvement to be paid by spe-  
7 cial assessment or by special taxation of contiguous property shall be adopted  
8 unless a majority of the resident property owners affected by such improve-  
9 ment shall petition for the same.

Sec. 4a. WHEREAS, An emergency exists, therefore, this Act shall be in  
2 force from and after its passage and approval.

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- 1 Introduced by Mr. Provine, by request, February 14, 1907.
  - 2 Read by title, ordered printed and referred to Committee on Live Stock and Dairying.

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## A BILL

For an act to provide for the inspection and licensing of all slaughtering, meat packing or rendering plant or plants or similar establishments in which cattle, sheep, swine or poultry are slaughtered to be done under and by authority of the Board of Live Stock Commissioners of the State of Illinois.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That the Board of Live Stock Commis-  
3 sioners shall make, or cause to be made, by the State Veterinarian, or his assist-  
4 ants, or any duly authorized live stock inspector in the employ of the State of  
5 Illinois (as often as they may deem necessary) an inspection of all slaughtering,  
6 meat packing or rendering plant or plants, or similar establishments in the State  
7 of Illinois in which cattle, sheep, swine or poultry are slaughtered, to inform  
8 themselves concerning the sanitary condition of the same, to prescribe the rules  
9 and regulations of sanitation under which such establishments shall be main-  
10 tained,

Sec. 2. It shall be the duty of any person, firm or corporation desiring to oper-

ate any slaughtering, meat packing or rendering plant or plants, or similar es-  
tablishment in the State of Illinois, to notify the Board of Live Stock Commis-  
sioners of such intention, by filling out a blank application for a license, to be  
furnished upon request, by the Board of Live Stock Commissioners, stating the  
name, location and description of said plant or plants, by whom owned and the  
business sought to be carried on; which application shall be subscribed and sworn  
to by the applicant before a notary public; whereupon the said Board may at its  
discretion, issue a permit to operate said plant temporarily, pending inspection.  
Upon receipt of said application, the said Board of Live Stock Commissioners  
shall make, or cause to be made, by any person herein authorized to make said in-  
spection, a thorough examination of the buildings, grounds and premises  
used or to be used for said purposes and if it shall appear to him that the per-  
son, firm or corporation has complied with all the rules and requirements  
of said Board of Live Stock Commissioners as to sanitation and cleanliness,  
then said Board shall issue a license to the owner of said plant, which license  
shall state that the person, firm or corporation to whom said license has been  
issued has complied with all the rules and requirements of said Board as to  
cleanliness and sanitation. Said license shall be displayed in a conspicuous  
place where the product of said slaughtering or rendering plant is sold, and  
shall so remain unless revoked by order of the Board of Live Stock Commis-  
sioners. In event any license has been issued as herein provided, and it shall  
afterward appear to said Board, upon examination of the premises as herein  
provided, that said work is being carried on in an insanitary or unwholesome  
or uncleanly manner, or the rules and regulations of said Board are being vio-  
lated, then the said Board of Live Stock Commissioners shall, at once, revoke

27 and annul the license of the offender or offenders and take up and destroy  
28 said license.

Sec. 3. Any person, firm or corporation conducting or attempting to conduct  
2 any slaughtering, meat packing or rendering plant or plants, or similar establish-  
3 ment in this State without a license from the said Board of Live Stock Com-  
4 missioners as provided for in this Act, or in event any person, firm or corpo-  
5 ration to whom a license has been issued shall fail, neglect or refuse to comply  
6 with any provision in this Act contained, shall be deemed guilty of a misde-  
7 meanor, and upon conviction thereof, be punished by a fine of not less than one  
8 hundred dollars (\$100) nor more than five hundred dollars (\$500), or confined  
9 in the county jail not exceeding one year, or both.

Sec. 5. For the purpose of assisting in the making of the inspection and  
2 carrying out the provisions of this Act, the said Board of Live Stock Com-  
3 missioners are hereby authorized to appoint inspectors not exceeding five in num-  
4 ber who shall be paid a salary of not exceeding twelve hundred dollars (\$1,200)  
5 per annum, and their necessary traveling, hotel and incidental expenses necessar-  
6 ily incurred in the performance of their duties under this Act, to be paid on cer-  
7 tified and itemized vouchers to be approved by the Governor. Said inspectors  
8 shall at any time be subject to removal by said Board of Live Stock Commission-  
9 ers.





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- 1 Introduced by Mr. Reynolds, February 14, 1907.
  - 2 Read by title, ordered printed and referred to Committee on Miscellaneous Sub-  
jects.

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## A BILL

For an act to prohibit contributions for political purposes to candidates for public office.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* That it shall be unlawful for any cor-  
3 poration doing business within the State, or any officer, agent or representa-  
4 tive thereof acting for such corporation, to give or contribute any money,  
5 property, labor or thing of value, directly or indirectly, to any member of any  
6 political committee, political party or employe or representative thereof, or  
7 to any candidate for any public office, or candidate for nomination to any pub-  
8 lic office, or to the representative of such candidate for campaign expenses  
9 or for any political purpose whatsoever, or to any person, partnership or cor-  
10 poration for the purpose of influencing or causing such person, partnership

11 or corporation to influence any elector of the State to vote for or against  
 12 any candidate for public office or candidate for nomination to any public of-  
 13 fice, or to any public officer for the purpose of influencing his official action.

Sec. 2. It shall be unlawful for any member of any political commit-  
 2 tee, political party, or employe or representative thereof, or candidate for  
 3 any office, or the representative of such candidate, to solicit, request or  
 4 knowingly receive from any corporation or any officer, agent, or represent-  
 5 ative thereof, any money, property or thing of value belonging to such cor-  
 6 poration, for campaign expenses or for any political purpose whatsoever.

Sec. 3. No person, and no agent or officer of any corporation within the  
 2 purview of this Act shall be privileged from testifying in relation to anything  
 3 herein prohibited; and no person having so testified shall be liable to any  
 4 prosecution or punishment for any offense concerning which he is required  
 5 to give his testimony: *Provided*, That he shall not be exempted from prosecu-  
 6 tion and punishment for perjury committed in so testifying.

Sec. 4. Any person convicted of a violation of any of the provisions  
 2 of this Act, shall be punished by imprisonment in the county jail not less  
 3 than six months or more than one year, and in the discretion of the court, by  
 4 fine not exceeding one thousand dollars (\$1,000).

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- 1 Introduced by Mr. Schermerhorn, February 14, 1907.
  - 2 Read by title, ordered printed and referred to Committee on Corporations.

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## A BILL

For an act regulating and fixing the rental price for telephones and making telephone companies common carriers.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That it shall be the duty of every tele-  
3 phone company, or person, firm or corporation engaged in the business of leasing  
4 telephones to the public or supplying the public with telephones and telephonic  
5 service, or operating a telephone exchange, to receive and transmit without dis-  
6 crimination messages from and for any other company, person or persons upon  
7 payment or tender of the usual customary charges therefor; and upon the pay-  
8 ment or tender of the usual customary charges or usual or customary rental sum,  
9 which amount shall not exceed the sum hereinafter provided, it shall be the duty  
10 of every telephone company, or person, firm or corporation engaged in the busi-  
11 ness of leasing telephones to the public or supplying the public with telephones

and telephonic service, or operating a telephone exchange, to furnish without unreasonable delay, without discrimination and without any further additional charge, to the person, firm or corporation applying for the same, a telephone, or telephones, of the latest improved pattern, with all proper or necessary wires and fixtures, and the use of such telephones, wires and fixtures, as well as connections with the central office, or telephone exchange, if desired, and to connect the telephones of such person, firm or corporation, with the telephone of any other person, firm or corporation, having connection with the same, or a connecting exchange or central office, whenever requested so to do: *Provided*, The charge, price or rental for the leasing or supplying of a telephone for use in offices, stores or other places of business, including connections, both by day and night, together with such wires, fixtures and apparatus as shall be necessary to transmit vocal messages between the patrons, subscribers or customers of any telephone company within the limits of cities of 100,000 population or over, shall not exceed a rate of sixty (\$60.00) dollars per annum for single party line telephones and in cities or villages of less than 100,000 population, shall not charge a rate exceeding thirty-six (\$36.00) dollars per annum for single party line telephones, and eighteen (\$18.00) dollars per annum for two or more party line telephones, which charge, price or rental shall be pro rata for shorter periods, and the charge, price or rental for the leasing or supplying of a telephone for use in private residences, including connections, both by day and night, together with such wires, fixtures and apparatus as shall be necessary to transmit vocal messages between the patrons, subscribers or customers of any telephone company within the limits of cities of 100,000 population or over, shall not exceed a rate of thirty (\$30.00) dollars per annum for single party line telephones, and in cities and villages of less than 100,000 population shall not charge a rate exceeding



38 eighteen (\$18.00) dollars per annum for single party line telephones and not ex-  
39 ceeding twelve (\$12.00) dollars per annum for two or more party line telephones,  
40 which charge, price or rental shall be pro rata for shorter period: *Provided,*  
41 *further,* The charge or price at public or pay stations or places for local mes-  
42 sages or conversations shall be not to exceed five cents for the first five minutes  
43 after connection is made, and if the conversations be continued beyond five min-  
44 utes, five cents for each five minutes or part of five minutes thereafter.

Sec. 2. Every company, person, firm or corporation, neglecting to comply with  
2 any of the provisions of this Act, shall forfeit all right to transact a telephone bus-  
3 iness in this State, and may be enjoined therefrom, and from leasing telephones  
4 to the public, from supplying the public with telephones and telephonic service,  
5 and from operating a telephone exchange, by bill of complaint filed in any court  
6 of competent jurisdiction, by any person, firm, or corporation injured, interested,  
7 or denied any of the rights herein given; or such company, person, firm or cor-  
8 poration, neglecting or refusing to comply with any of the provisions of this  
9 Act, shall forfeit not less than twenty-five nor more than one hundred dollars, for  
10 each and every day such neglect or refusal shall continue, one-half to the use of  
11 the person, firm or corporation prosecuting therefor.

Sec. 3. In the construction of this Act all telephone companies shall be  
2 deemed to be common carriers.



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- 1 Introduced by Mr. Werdell, February 14, 1907.
  - 2 Read by title, ordered printed and referred to Committee on Miscellaneous Subjects.

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## A BILL

For an act to regulate the speed of automobiles and other horseless conveyances upon the public streets, roads and highways of the State of Illinois.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That it shall be unlawful for any person or persons to drive, run, conduct, or propel any automobile or other conveyance of similar type or kind used for the purpose of transporting or conveying passengers or freight or any other purposes whether said automobile or conveyance or such other vehicle is propelled by steam, gasoline or electricity or any other mechanical power at a rate of speed in excess of 12 miles per hour upon any public street, road or highway in the State of Illinois: *Provided*, That nothing in this section contained shall prohibit or prevent the running of such automobiles, or vehicles at a greater rate of speed than 12 miles per hour upon such streets with-

11 in incorporated cities or villages as may be set apart for use of such automobiles  
 12 and other conveyances, and upon which said cities or villages may by ordinance  
 13 permit a greater rate of speed than herein specified.

Sec. 2. Whenever it shall appear that any horse driven or ridden by any  
 2 person, upon any of said streets, roads or highways is about to become frightened  
 3 by the approach of any such automobile or vehicle, it shall be the duty of the per-  
 4 son driving or conducting such automobile or vehicles to cause the same to come to  
 5 a full stop until such horse or horses have passed.

Sec. 3. Any person or persons violating the provision of the foregoing sec-  
 2 tions one (1) or two (2) shall upon conviction be sentenced to pay a fine of not  
 3 less than twenty five (\$25) dollars, nor more than two hundred (\$200) dollars, and  
 4 may be confined in the county jail not to exceed three months, or both in the dis-  
 5 cretion of the court.

Sec. 4. In any action brought to recover any damages either to person or  
 2 property caused by running such automobiles or vehicles at a greater speed than  
 3 designated in section one (1) the plaintiff or plaintiff's shall be deemed to have  
 4 made out a *prima facie* case by showing the facts of such injury and that such per-  
 5 son or persons driving such automobiles or vehicles was at the time of the injury  
 6 running the same at a speed in excess of that mentioned in section one (1).

Sec. 5. All acts and parts of acts in conflict herewith are hereby repealed.

- 1 Introduced by Mr. Werdell, February 14, 1907.
- 2 Read by title and ordered to lie on Speaker's table.

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## A BILL

For an act to prohibit the scalping and sale of tickets for more than the price printed thereon, for theatres, circuses and places of amusement, and declaring same a misdemeanor, and fixing the penalties therefor.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That it shall be the duty of owners,  
3 lessees and managers of any theatre, circus, place of public entertainment or  
4 amusement to have printed on all tickets issued for admission thereto, or for  
5 seats of such theatre, circus, place of public entertainment or amusement, in  
6 conspicuous type, the price of such ticket, and the number of the seat.

Sec. 2. That any person or persons, firm or corporation, owning, occupy-  
2 ing, managing or controlling any building, room, park or enclosure for the sale  
3 of tickets for theatres, circuses or places of public entertainment or amuse-  
4 ment, who shall ask, demand or receive from any person or persons for



5 the sale of such ticket or tickets to a theatre, circus or place of public  
 6 entertainment or amusement, or any person, firm or corporation who by  
 7 themselves, or by any agent or employe offers for sale upon any public place  
 8 or thoroughfare, any such ticket or tickets to a theatre, circus, or place of pub-  
 9 lic entertainment or amusement, for admission thereto, or for a seat or other  
 10 privilege therein, a price in excess of that demanded or received from any  
 11 other person or persons for the same privilege, or in excess of the advertised  
 12 or printed rate therefor, shall be deemed guilty of a misdemeanor.

Sec. 3. It shall be unlawful for any person, persons, firm or corporation to  
 2 establish an agency or sub office for the sale of seat tickets of admission to a the-  
 3 atre, circus or place of public entertainment or amusement, at a price greater  
 4 than the sale of seats at the box office of such theatre, circus, place of public  
 5 entertainment or amusement, or in excess of the advertised price therefor.

Sec. 4. That the owner, lessee or occupant of any building, room, en-  
 2 closure or other place open to the public, who permits any person, per-  
 3 sons, firm or corporation to sell or exhibit for sale in said building, room  
 4 or enclosure, or other place open to the public, any ticket or tickets for the-  
 5 atres, circuses or place of public entertainment or amusement, for more than  
 6 the price printed thereon, shall be equally liable as principal.

Sec. 5. Any person, persons, firm or corporation violating any of the pro-  
 2 visions of this Act shall upon conviction be fined in a sum not less than \$200.00  
 3 nor more than \$500.00, or confined in the county jail not less than sixty days  
 4 nor more than one year, or both, in the discretion of the court.

- 1 Introduced by Mr. Young, by request, February 14, 1907.
- 2 Read by title, ordered printed and referred to Committee on Judicial Department and Practice.

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## A BILL

For an act to provide that certain notices by publication shall be published in some newspaper in the town or township.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That all notices by publication in the ad-  
3 ministration of estates, now required by law to be published in some newspaper  
4 published in the county, shall hereafter be published in some newspaper pub-  
5 lished in the town, in counties that have adopted township organization; and, in  
6 the township, in counties that have not adopted township organization, where  
7 the deceased last resided. If no newspaper be published in such town or town-  
8 ship, said publication shall be made in the nearest paper published in the county.

Sec. 2. All notices by publication, in proceedings for the partition or sale  
2 of real estate, now required by law to be published in some newspaper published

3 in the county, shall hereafter be published in some newspaper published in the  
 4 town, in counties that have adopted township organization; and, in the town-  
 5 ship, in counties that have not adopted township organization, in which said  
 6 real estate or some part thereof is situated. If no newspaper be published in  
 7 such town or township, said publication shall be made in the nearest paper pub-  
 8 lished in the county.

Sec. 3. All notices by publication, in suits in chancery and suits to obtain  
 2 title to lands, now required by law to be published in some newspaper pub-  
 3 lished in the county, shall hereafter be published in some newspaper published  
 4 in the town, in counties that have adopted township organization; and, in the  
 5 township in counties that have not adopted township organization, where said  
 6 lands or some parts thereof are situated. If no newspaper is published in  
 7 such town or township, said publication shall be made in the nearest paper pub-  
 8 lished in the county.

Sec. 4. All acts or parts of acts inconsistent with the above are hereby re-  
 2 pealed.

- 1 Introduced by Mr. Cermak, February 14, 1907.
- 2 Read by title, ordered printed and referred to Committee on License.

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## A BILL

For an act to provide for limiting the number of dramshops in cities, towns and villages, and for restricting the sale or transfer of licenses granted by the corporate authorities of any city, town or village for the keeping of dramshops.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That the number of dramshops in any  
3 city, town or village in this State, as the case may be, shall not be increased, ex-  
4 cept as hereinafter provided, beyond the number of dramshops in existence at  
5 any time during the year 1907, in any such city, town or village, as the case may  
6 be: *Provided, however,* Nothing herein contained shall deprive any city, town  
7 or village now organized, wherein no dramshop licenses were issued in the year  
8 1907, of its right and power to issue licenses to keep a dramshop to a number of  
9 persons not exceeding one to each five hundred of population; nor deprive any  
0 city, town or village hereafter organized of its right and power to issue licenses



11 to keep a dramshop to a number of persons not exceeding one to each five hun-  
 12 dred of population.

Sec. 2. The number of dramshops in any city, town or village in this State  
 2 as the case may be, may be increased beyond the number specified in section  
 3 hereof, whenever the number of dramshops in such city, town or village, as the  
 4 case may be, shall be less than one (1) for each five hundred (500) of the popula-  
 5 tion of such city, town or village, as the case may be, as ascertained by the las-  
 6 t preceding national census, and in such event the number of dramshops in such  
 7 city, town or village, as the case may be, may be increased until such number shall  
 8 equal one (1) for each five hundred (500) of the population of such city, town or  
 9 village, as the case may be, as ascertained by the last preceding national census.

Sec. 3. Nothing in this Act contained shall be construed or held as intended  
 2 ing to reduce or as requiring a reduction of the number of dramshops existing in  
 3 any city, town or village in this State, as the case may be, at any time during the  
 4 year 1907.

Sec. 4. In the renewal or reissue of licenses for dramshops, the respective  
 2 owners of licenses, or the respective successors, transferees or assigns of such  
 3 owners, shall have and shall be given the first right of priority.

Sec. 5. No license to keep a dramshop issued by the corporate authorities  
 2 of any city, town or village, shall be assigned or transferred from one person to  
 3 another person, or from one place to another place, unless the assignor or trans-  
 4 feree of such license shall give bond and comply with the conditions required by  
 5 law of an applicant for an original license, but such assignee or transferee shall  
 6 not be required to pay any license fee for the unexpired term of the license  
 7 assigned or transferred.



1 Introduced by Mr. McBride, February 14, 1907.

2 Read by title, ordered printed and referred to Committee on Claims.

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## A BILL

For an act to provide for payment of printing done by Henry W. Rokker, and to make appropriation therefor.

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WHEREAS, When the contracts were made for the State printing for the term commencing October 1, 1886, and ending October 1, 1888, and the same were awarded to H. W. Rokker & Co., the lowest bidders; and

WHEREAS, On or about April 1, 1887, a controversy arose between the Commissioners of State Contracts and the firm of H. W. Rokker & Co.; and

WHEREAS, The same firm of H. W. Rokker & Co. were notified that no further payments would be made under the contract and consequently the firm of H. W. Rokker & Co. stopped work; and

WHEREAS, Several days afterwards, the then Secretary of State, H. W. Dement, notified Mr. H. W. Rokker that there would be no further recognition of the

contracts awarded H. W. Rokker & Co., and no further printing would be done under the contract, but for such printing as was immediately necessary the State would employ him, H. W. Rokker, individually, and would pay him at the same rates specified in the contracts for the same class of work so ordered; and

WHEREAS, Written orders from the proper authorities were thereupon given to H. W. Rokker, individually, to do the same work; and

WHEREAS, The said H. W. Rokker, acting in good faith, caused said work to be well and faithfully done and delivered to the proper persons and as per estimate made by the State Board of Contracts the claim amounted to \$9,385.16, of which amount the sum of \$4,497.69 was paid, leaving a balance due H. W. Rokker of \$4,887.47 for work done by him on orders issued by the proper authorities; and

WHEREAS, At the time the orders were presented the appropriation for the printing fund was exhausted and there was no money in the State Treasury to pay that class of claims; and

WHEREAS, The said above balance due H. W. Rokker was carried over to the next administration for payment, and when the new State officers took charge of the State's affairs, they claimed the work was not done under their administration and they had no jurisdiction in the matter; and

WHEREAS, H. W. Rokker has made repeated efforts to get the matter before the Legislature, but for some reason it has never received proper consideration; and

WHEREAS, The State of Illinois owes H. W. Rokker a balance of \$4,887.47 with interest, for work done and delivered; and

WHEREAS, H. W. Rokker borrowed money to pay printers and pressmen

for the said work and on which loan the said H. W. Rokker says that he is still paying interest, and claims as a matter of equity and justice that the State of Illinois owes him the above mentioned balance of \$4,887.47, with interest at the rate of 6 per cent from July 1, 1887, and the principal and interest now amount to \$10,752.00.

WHEREAS, The work done by H. W. Rokker was "O. K'd" by the State Printer Expert, also by the Secretary of State at the time, and the same would have been paid had the appropriation for printing not been exhausted; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
*represented in the General Assembly:* That there be, and is hereby, appropriated in the sum of four thousand eight hundred and eighty-seven dollars and forty-seven cents (\$4,887.47) with interest at 6 per cent per annum from July 1, A. D. 1887, until paid, to Henry W. Rokker, for balance for printing done by him for the General Assembly, and on the order of the Secretary of State, in the year 1887.

Sec. 2. The Auditor of Public Accounts of the State of Illinois is hereby authorized and directed to draw his warrant on the State Treasurer for the said sum of four thousand eight hundred and eighty-seven dollars and forty-seven cents (\$4,887.47), with interest at 6 per cent per annum, payable to Henry W. Rokker, out of any moneys not otherwise appropriated.



- 1 Introduced by Mr. Danaher, February 14, 1907.
- 2 Read by title, ordered printed and referred to Committee on Judicial Depart-  
ment and Practice.

## A BILL

For an act entitled “An Act to amend section 18 of an act entitled ‘An Act in regard to administration of estates,’ ” approved April 1, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That section 18 of an act entitled “An  
3 Act in regard to the administration of estates,” approved April 1, 1872, in force  
4 July 1, 1872, and acts amendatory thereof, be and the same is hereby amended  
5 to read as follows:

Sec. 18. Administration of estates of all persons dying intestate shall be  
2 granted to some one or more of the persons hereinafter mentioned and they are  
3 respectively entitled to preference thereto in the following order:

4 1st. To the surviving husband or wife, or any competent person nomina-  
5 ted by him or her.



- 6        2nd. To the children or any person nominated by them.
- 7        3rd. To the father or any competent person nominated by him.
- 8        4th. To the mother or any competent person nominated by her.
- 9        5th. To the brothers or any competent person nominated by them.
- 10       6th. To the sisters or any competent person nominated by them.
- 11       7th. To the grandchildren or any competent person nominated by them.
- 12       8th. To the next of kin or any competent person nominated by them.
- 13       9th. To any creditor who shall apply for the same.
- 14       10th. To the public administrator.

15       *Provided*, That only such persons as are entitled to administer under this  
 16 Act shall have the right to nominate. When several are claiming and are  
 17 equally entitled to administration the court may grant letters to one or more of  
 18 them preferring relatives of the whole to those of the half blood. Preference  
 19 and the right to nominate under this Act must be exercised by relatives within  
 20 sixty days from the date of the death of the intestate; and if none of the per-  
 21 sons hereinbefore mentioned applies within sixty days from the date of the  
 22 death of the intestate, the county court may grant administration to any creditor  
 23 who shall apply for the same. If no creditor applies for administration within  
 24 fifteen days next after the lapse of sixty days, as aforesaid, administration may  
 25 be granted the public administrator or to any person whom the county court may  
 26 think will best manage the estate.

27        In all cases where the intestate is a non-resident, or without a widow, next  
28 of kin or creditors in this State, but leaves property within this State, adminis-  
29 tration shall be granted to the public administrator of the proper county: *Pro-*  
30 *vided*, That no administration shall in any case be granted until satisfactory  
31 proof be made before the county court, to whom application for that purpose is  
32 made that the person in whose estate letters of administration are requested is  
33 dead and died intestate: *And, Provided further*, That no non-resident of this  
34 State shall be appointed administrator or allowed to act as such.



- 1 Introduced by Mr. Fieldstack, February 14, 1907.
- 2 Read by title, ordered printed and referred to Committee on Labor and Industrial Affairs.

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## A BILL

For an act to provide for the health, safety and comfort of employes in factories, mercantile establishments, mills and workshops, in this State, and to provide for the enforcement thereof.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That all saws, planers, wood shapers,  
3 jointers, sand paper machines and iron mangles, and all set screws, drums and  
4 machinery, including belts, cogs, gearing, belting, shafting, cables and fly wheels,  
5 flying shuttles and hydro extractors, laundry machinery, and machinery of every  
6 description, all electrical dynamos and other electrical apparatus and appliances;  
7 all vats, pans or other structures filled with molten metal or boiling liquids, in any  
8 factory, mercantile establishment, mill or workshop, shall be so located as not to be  
9 dangerous to workmen, and shall be properly guarded, fenced or otherwise pro-

10 tected. All dangerous places in or about mercantile establishments, factories,  
 11 mills or workshops, near to which any employe is obliged to pass, or to be em-  
 12 ployed shall be secured, fenced, enclosed or otherwise protected. No grindstone,  
 13 emery wheel, or any machine in any factory, mercantile establishment, mill or  
 14 workshop, shall be used when the same is known to be cracked or otherwise de-  
 15 fective.

Sec. 2. No person shall remove or make ineffective any safeguard around  
 2 or attached to any machinery, vats, or pans, or other articles mentioned in sec-  
 3 tion one (1) of this Act, while the same are in use, except for the purpose of im-  
 4 mediately making repairs thereto, and all such safeguards so removed shall be  
 5 promptly replaced.

Sec. 3. It shall be the duty of the owner or lessee of any factory, mercan-  
 2 tile establishment, mill or workshop, or his agent, superintendent or other per-  
 3 son in charge of the same, to furnish and supply, where machinery is in use,  
 4 belt shifters or other safe mechanical contrivances, for the purpose of throwing  
 5 on or off belts, or pulleys; and, whenever practicable, machinery shall be pro-  
 6 vided with loose pulleys.

Sec. 4. All hoist ways, hatch ways, elevator wells, and wheel holes in fac-  
 2 tories, mercantile establishments, mills and workshops, shall be securely fenced  
 3 and closed, or otherwise protected, and due diligence shall be used to keep all  
 4 such means of protection closed, except when it is necessary to have the same  
 5 open, in order that the said hatchways, elevators, or hoisting apparatus may be  
 6 used. All elevator cabs or cars, whether used for freight or passengers, shall be  
 7 provided with some suitable mechanical device, whereby the car or cab shall be  
 8 securely held in the event of accident to the shipper rope or hoisting machinery,



9 or controlling apparatus. In every factory, mercantile establishment, mill or  
10 workshop, in which the machinery is propelled by steam or other mechanical pow-  
11 er, communication shall be provided between each room in which machinery is  
12 placed, and the room in which the engineer is situated; such communication to  
13 be by means of speaking tubes, electric bells, colored lights, or some other ap-  
14 proved and effective means of communication, in order that in case of need  
15 or accident, the motive power of such factory, mercantile establishment, mill or  
16 workshop shall be effectively stopped or controlled.

Sec. 5. If any elevator, machine, electrical apparatus, or any part or parts  
2 thereof, are in an unsafe or a dangerous condition, or not properly guarded, the  
3 owner or lessee, or his agent, superintendent or other person in charge of any  
4 factory, mercantile establishment, mill or workshop, where there is such unsafe  
5 and dangerous machinery, shall cause to be attached thereto a notice to that ef-  
6 fect, which notice shall not be detached until such machinery is put in a safe  
7 condition and properly guarded.

Sec. 6. That every person, firm or corporation employing females in any  
2 factory, mercantile establishment, mill or workshop, in this State shall provide a  
3 suitable seat for the use of each female employe, and shall permit the use of such  
4 seat by them when they are not necessarily engaged in the active duties for which  
5 they are employed, and shall permit the use of such seats at all times when such  
6 use would not actually and necessarily interfere with the proper discharge of  
7 the duties of such employes, and such seat shall be made a permanent fixture  
8 and shall be so constructed or adjusted where practicable, that when said seat is  
9 not in use it shall not obstruct such female when actually engaged in the per-  
10 formance of her duties.

Sec. 7. No person being the owner, proprietor, lessee, manager or superintendent of any factory, mercantile establishment, mill or workshop, shall cause, permit, or allow the same, or any portion or apartment thereof, or any room in such factory, mercantile establishment, mill or workshop to be overcrowded, or inadequate, faulty or insufficient in respect to light, ventilation, heat, cleanliness and thorough sanitary condition, and in every such building or apartment or room in any such building, where one or more persons are employed as aforesaid, at least five hundred cubic feet of air shall be provided for each and every person employed therein, and fresh air supplied by ventilation at the rate of four complete changes of air per hour during the hours of employment. No part of such air supply shall be taken from any cellar or basement. All factories, mercantile establishments, mills and workshops shall be kept free from any gas or effluvia arising from any sewer, drain, privy, or other nuisance, and exhaust fans of sufficient power or other sufficient devices shall be provided for the purpose of carrying off poisonous fumes and gases.

Sec. 8. In all factories, mercantile establishments, mills or workshops, proper and sufficient means of escape in case of fire shall be provided by more than one way of egress, and such means of escape shall at all times be kept free from any obstruction, and shall be kept in good repair and ready for use. All doors leading in or to such factories, mercantile establishments, mills or workshops, shall be so constructed as to open outward when practicable, and shall not be locked, bolted, or fastened during working hours so as to prevent egress. Proper and substantial hand rails shall be provided on all stairways in factories, mercantile establishments, mills and workshops, and where females are employed, the stairs regularly used by them shall be properly screened at the sides.

Sec. 9. In all factories, mercantile establishments, mills and workshops, a proper light shall be kept burning by the owner or lessee, in the hallways near the stairs, and in front of the passenger or freight elevators, upon the entrance floor and upon the other floors, on every work-day of the year from the time when the building is opened for use in the morning, until the time it is closed in the evening; except at times when the influx of natural light shall make artificial light unnecessary; and where factories, mercantile establishments, mills and workshops generate their own light, the lights required by this section, shall be connected with some independent source of light, which would be automatically turned on in case the power plant of such factory, mercantile establishment, mill or workshop be accidentally stopped or impaired.

Sec. 10. No floor space of any workroom in any factory, mill or workshop, shall be crowded with machinery as thereby to cause serious risk to, or endanger the life or limb of any employe, nor shall there be in any such establishment machinery in excess of the sustaining power of the floors and walls thereof.

Sec. 11. Every factory, mercantile establishment, mill or workshop in which five (5) or more persons are employed, shall be provided within reasonable access, with a sufficient number of water closets, earth closets or privies, for the reasonable use of the persons employed therein. And whenever male or female persons are employed together as aforesaid, said water closets and privies shall be provided separate and apart for the use of such sex, and plainly marked by which sex they are to be used, and no person or persons shall be allowed to use such closets or privy assigned to the other sex. Such closets or privies shall be properly screened and ventilated and at all times kept in a clean and thorough sanitary condition, and no such water closet, earth closet, privy or ash pit shall be within or communicate directly with, or be kept or maintained immediately

12 adjacent to the bakerooms of any bakery, or the kitchen of any public restaurant  
 13 or eating establishment. In factories, mercantile establishments, mills and work-  
 14 shops, where the labor performed by the operator is of such a character as to  
 15 require or make necessary a change of clothing wholly or in part, by the employe,  
 16 separate dressing room or rooms shall be provided for both sexes, and no per-  
 17 son or persons shall be allowed to use the dressing room assigned to the oppo-  
 18 site sex.

Sec. 12. The walls and ceilings of each workroom in every factory, mill or  
 2 workshop, shall be lime washed or painted when it is necessary for the health  
 3 or cleanliness of the employes therein.

Sec. 13. No female under the age of eighteen shall be allowed to work  
 2 between the fixed and traversing part of any self-acting machine, while the ma-  
 3 chine is in motion by the action of steam, water or other mechanical power.

Sec. 14. It shall be the duty of every owner, lessee or manager of any  
 2 premises, to which the provision of this Act may apply, to carry out the same  
 3 and to make all the changes and additions necessary therefor, and in every way  
 4 to comply with all the provisions of this Act. When such changes are made by  
 5 a lessee, as required by sections 7, 8, 9, 10, or 11 of this Act, in any factory, mer-  
 6 cantile establishment, mill or workshop, existing in this State at the time of the  
 7 taking effect of this Act in order to make such factory, mercantile establishment,  
 8 mill or workshop comply herewith, said lessee may at any time within  
 9 thirty days after the completion thereof, bring an action against any person,  
 10 corporation, or partnership owning or having an interest in such premises, and  
 11 recover such proportion of the expense of making such changes and additions as  
 12 the court adjudges should justly and equitably be borne by such defendant.



Sec. 15. Whenever, by the provisions of this Act, it is made the duty of any person, firm or corporation within this State, to make or install any machinery, appliances, devices, safeguards, equipment, apparatus, alterations, additions or changes, to comply with the provisions of this Act, the same shall be made and installed subject to the approval of the Chief State Factory Inspector.

Sec. 16. It shall be the duty of the owner or lessee or superintendent of any factory, mercantile establishment, mill or workshop, in this State, or in the absence of the owner, lessee or superintendent, it shall be the duty of the person in charge of such factory, mercantile establishment, mill or workshop, to immediately report in writing to the State Factory Inspector, all accidents or injuries sustained by any person or persons therein, stating as fully as possible the time, extent and cause of the injury, and place to which the injured person has been taken, and the names of the witnesses of the accident; and in all serious and fatal accidents the Chief Factory Inspector or his deputy may subpoena witnesses, administer oaths, and do whatever may be necessary in order to make a thorough and complete investigation of the same, and keep a complete record thereof; and it shall be the duty of the State Factory Inspector to require such precautions to be taken in conformity with the provisions of this Act, as may be necessary to prevent the happening of a similar accident in any factory, mercantile establishment, mill or workshop, in this State: *Provided, however,* That the provisions of this section shall not be construed as interfering with the duties of coroners, under existing laws.

Sec. 17. When a factory inspector, in connection with his visits, or inspection of, any factory, mercantile establishment, mill or workshop, building, or public or private works, finds on the part of the persons owning, operating or



4 managing the same, any violations, default, or omission covered by the local or-  
 5 dinance of any city, town or village, provided for the protection of employes, and  
 6 not covered by this Act, the said inspector shall give written notice of said act,  
 7 omission or default to the proper local municipal authority or department.

Sec. 18. It shall be the special duty of the Chief State Factory Inspector,  
 2 and of the Assistant Factory Inspector, and deputy factory inspectors, under  
 3 the direction and supervision of the Chief Factory Inspector, to enforce the pro-  
 4 visions of this Act and to prosecute all violations of the same before any magis-  
 5 trate or any court of competent jurisdiction in this State. And for that purpose  
 6 they and each of them are hereby empowered to visit and inspect at all reason-  
 7 able times, and as often as shall be necessary, all such factories, mercantile es-  
 8 tablishments, mills and workshops, in this State, and in the enforcement of the  
 9 provisions of this Act, the Chief Factory Inspector and the Assistant Factory In-  
 10 spector and the deputy factory inspectors, under the direction and supervision  
 11 of the Chief Factory Inspector, shall give proper notices or orders in regard to  
 12 any violation of this Act, to the person or persons owning, operating or manag-  
 13 ing any such factory, mercantile establishment, mill or workshop. Such notices  
 14 or orders shall be written or printed and signed officially by the Chief Factory In-  
 15 spector, Assistant Factory Inspector, or one of the deputy factory inspectors;  
 16 and said notices may be served by delivering the same to the person upon whom  
 17 service is to be made, or by leaving at his usual place of abode or business an  
 18 exact copy thereof, or by sending a copy thereof to such persons by United States  
 19 mail, properly stamped and registered. Notice to one member of a firm shall  
 20 be notice to every member thereof, and notice to the president, secretary, or  
 21 treasurer, or manager or agent or superintendent of a corporation shall be no-  
 22 tice to such corporation.

Sec. 19. Any firm or corporation, or any agent, manager, or superintendent of any firm or corporation, who for himself or for such firm or corporation shall directly or indirectly violate any of the provisions of this Act, or who omits or fails to comply with any of the foregoing requirements of this Act, or who disregards any orders, notices or requirements of the State Factory Inspector, or of a deputy factory inspector, when said order or notice is made in accordance with the provisions of this Act; or who obstructs or interferes with any examination or investigation being made by a factory inspector, shall be deemed guilty of a misdemeanor **and on conviction** thereof shall be punished for the first offense by a fine of **not less than ten dollars** (\$10.00) nor more than one hundred dollars (\$100.00), and shall stand committed until such fine and costs are paid; and upon conviction of the second or subsequent offense, shall be fined not less than fifty dollars (\$50.00) nor more than two hundred dollars (\$200.00), or by imprisonment for not less than ten days nor more than sixty days, or by both fine and imprisonment in the discretion of the court.

Sec. 20. The following terms used in this Act shall have the following meaning: The term "factory" or "mill" shall include any premises where steam, water or mechanical power is used in aid of any manufacturing or printing process there carried on. The term "workshop" shall include any premises, room or place not being a factory or mill as above defined, wherein any labor is exercised by way of trade or for purposes of gain in or incidental to any process of making, altering, preparing, cleaning, ornamenting, finishing or adapting for sale any article or part of any article, and to which or over which building, premises, room or place the employer of the persons employed or working therein has the right of access or control: *Provided, however,* That the exercise of such manual or other labor in a private house or a

12 private room by a family dwelling therein, or by any of them shall not of it-  
13 self constitute such house or room a workshop within this definition. The  
14 term "Mercantile establishment" shall include all concerns or places where any  
15 goods, wares or merchandise are purchased or sold, either at wholesale or re-  
16 tail. The term "Factory Inspector" shall be construed to mean the Chief  
17 Factory Inspector. The term "Deputy Factory Inspector" shall be construed  
18 to mean the Assistant State Factory Inspector, or any of the deputy factory  
19 inspectors provided for by law.

Sec. 21. A copy of this Act together with the name and address of the  
2 Chief Factory Inspector, printed in a legible manner, shall be conspicuously  
3 posted in the office and in the work rooms of every establishment covered by  
4 the provisions of this Act.

Sec. 22. This Act shall take effect and be in force on and after the first  
2 day of November, 1907.

- 1 Introduced by Mr. Campbell, February 19, 1907.
- 2 Read by title, ordered printed and referred to Committee on Judicial Department  
and Practice.

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## A BILL

For an act to amend an Act entitled “An Act to regulate the fees of Court Receivers and Attorneys’ Fees in Receivership Cases of Building and Loan Associations,” approved May 10, 1901, in force July 1st, 1901.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That an act entitled, “An Act to regulate  
3 the fees of court receivers and attorneys’ fees in receivership cases of building  
4 and loan associations, approved May 10, 1901, in force July 1st, 1901, be and the  
5 same is hereby amended to read as follows: That in all cases in the courts of  
6 this State wherein receivers or custodians are or may be hereafter appointed to  
7 take charge of the assets of any building and loan association, the fees to be al-  
8 lowed for all services, clerk hire and expenses of such receivers or custodians  
9 shall not exceed 3 per cent of the funds handled by such receiver or custodian,



10 to be paid out of the assets. Any such receiver may be allowed by the court such  
11 further amounts for attorney's fees for services rendered, as the court may de-  
12 termine, not exceeding the sum of twenty dollars per day for actual time of  
13 service:

14 *Provided*, That in no case shall the fee to be allowed for attorney's serv-  
15 ices exceed the sum of \$1,000, except as to the separate fees to be allowed in  
16 cases of foreclosure of mortgages or trust deeds, which may be allowed in ac-  
17 cordance with the terms of the mortgage in each particular case; and except  
18 also that in cases involving the dissolution, winding up or liquidation of the  
19 association the court may allow and cause to be paid out of the assets of the  
20 association such further amounts as it may deem a reasonable compensation for  
21 services rendered by attorneys, solicitors, counsel or other persons whom the re-  
22 ceiver has employed with the consent of the court. Any receiver or custodian  
23 violating any of the provisions of this Act shall be fined in any sum not exceed-  
24 ing five hundred (\$500.00) dollars, or imprisoned in the county jail not exceeding  
25 thirty days, or both, at the discretion of the court.



AMENDMENTS TO

45th Assem.

HOUSE—No. 314

Apr. 1907

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Amendments to House Bill No. 314, adopted by the House April 22, 1907.

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AMENDMENT NO. 1.

Amend the title of House Bill No. 314 by inserting after the word “amend,” in line 1, the following: “Section 91 zzz.”

AMENDMENT NO. 2.

Amend House Bill No. 314, by inserting after the word “act,” in line 2 of the printed bill, the following: “to amend Section 91 zzz of an act.” Also by inserting after the word “follows,” in line 5, of Section 1 of the printed bill, the following: “Section 91 zzz.”



- 1 Introduced by Mr. Campbell, February 19, 1907.
- 2 Read by title, ordered printed and referred to Committee on Railroads.

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## A BILL

To make every railroad corporation liable for all injuries resulting to passengers from the failure of said railroad corporations to provide sufficient cars to seat all passengers.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That every railroad corporation within  
3 the jurisdiction of this State shall be liable in damages to passengers on the  
4 trains of said railroad corporations for any injury resulting to such passengers  
5 directly or indirectly, proximately or remotely, from the failure of such rail-  
6 road corporations to furnish cars sufficient to seat every passenger.

7 The word "corporation," as used in this Act, shall be construed to include  
8 all companies, lessees, contractors, persons, or association of persons, owning,  
9 operating or using any railroads in this State.



- 1 Introduced by Mr. Cermak, February 19, 1907.
- 2 Read by title, ordered printed and referred to Committee on Municipal Corporations.

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## A BILL

For an act to provide for the formation and disbursement of a House of Correction employees' pension fund in cities having a population exceeding 100,000 inhabitants.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That the Board of Inspectors of the  
3 House of Correction in the city of Chicago, organized under an act of the Gen-  
4 eral Assembly of the State of Illinois, entitled "An Act to establish houses of  
5 correction and authorize the confinement of convicted persons therein," ap-  
6 proved April 25, 1871, and in force July 1, 1871, and maintained thereunder in  
7 the city of Chicago, shall have power, and it shall be its duty to create a House  
8 of Correction employees' pension fund, which shall consist of 1 per cent of the  
9 salaries or wages of the employees, deducted in equal monthly installments



10 from such salaries or wages at the regular time or times of the payment there-  
 11 of, and 2 per cent of the total earnings or receipts of the House of Correction  
 12 of said city, and such other moneys derived from miscellaneous sources as the  
 13 board of directors shall determine.

Sec. 2. The term "employee," under this Act, shall include all persons in  
 2 the employ of the House of Correction receiving a stipulated salary or wage  
 3 per annum, and this Act shall apply only to those employees who voluntarily ac-  
 4 cept and agree to comply with its provisions. Any employee, a part of whose  
 5 salary may be set apart hereafter to provide for the fund created by this Act,  
 6 may be released from the necessity of making further payments to said fund by  
 7 filing a written notice of his or her desire to withdraw from complying with the  
 8 provisions of this Act with the board of trustees hereinafter mentioned, which  
 9 resignation shall operate and go into effect immediately upon its receipt by  
 10 said board of trustees.

Sec. 3. The city treasurer, subject to the control and direction of the  
 2 board of trustees hereinafter mentioned, shall be the custodian of said pension  
 3 fund and shall secure and safely keep the same and shall keep books and ac-  
 4 counts concerning said fund in such manner as may be prescribed by said  
 5 board of trustees, which said books and accounts shall always be subject to the  
 6 inspection of said board of trustees, or any member thereof. The city treasurer  
 7 shall, within ten days after his election or appointment, execute a bond to the  
 8 city with good and sufficient sureties, in such penal sum as the said board of  
 9 trustees shall direct, which said bond shall be approved by said board of trus-  
 10 tees, and shall be conditioned for the faithful performance of the duties of said  
 11 office, and that he will safely keep and well and truly account for all monies be-

longing to said pension fund, and all interest thereon, which may come into his hands as such treasurer, and on the expiration of his term of office, or upon his retirement therefrom for any cause, he will surrender and deliver over to his successor all unexpended moneys, with such interest as he may have received thereon, and all property which may have come into his hands as treasurer of said pension fund. Such bonds shall be filed in the office of the city clerk of said city for the use of said board of trustees, or any person or persons injured by such breach.

Sec. 4. The Board of Inspectors of the House of Correction shall in the month immediately following the passage of this Act, arrange for the election of a board of trustees of said pension fund, composed of five members to be chosen as hereinafter provided, which election shall be held not later than one month of the same year. Said board of trustees shall have power, and it shall be its duty to administer said fund and to carry out the provisions of this Act and for the purpose of enabling such board of trustees to perform the duties imposed and exercise the powers created by this Act, the board of trustees shall be and is hereby to be a body politic and corporate.

Sec. 5. The said board of trustees shall consist of the chairman of the Board of Inspectors and the superintendent of the House of Correction, two employees contributing to the fund and one other member of said Board of Inspectors, the chairman of said Board of Inspectors and the superintendent of the House of Correction shall be *ex officio* members of such board of trustees; the three other members of such board of trustees shall be elected by ballot by the employees contributing to said fund at the time and for the terms respectively as follows: At the first election the contributors to said fund shall elect one

9 of their number to serve for the term of one year and one of their number to  
 10 serve for the term of two years, and annually thereafter said contributors shall  
 11 elect one of their number to hold office for the term of two years. At each  
 12 election the contributors shall elect a member of the Board of Inspectors of the  
 13 House of Correction to serve as a member of such board of trustees for a term  
 14 of one year.

Sec. 6. Whenever any elective member of said board of trustees shall cease  
 2 to be in the employ of or to be a member of said Board of Inspectors of said  
 3 House of Correction, his or her membership in said board of trustees shall cease.  
 4 All vacancies in said board of trustees shall be filled by ballot of the contribu-  
 5 tors to said pension fund.

6 Said board of trustees shall have power and it shall be its duty:

7 - (1) To make all payments from said pension fund pursuant to the provis-  
 8 ions of this Act.

9 (2) To administer and invest, to purchase, hold, sell or assign and trans-  
 10 fer any part of said pension fund remaining in the hands of said treasurer, or  
 11 any of the securities in which said fund, or any part thereof, may be invested,  
 12 subject to the approval of the majority of the contributors to the said pension  
 13 fund.

14 (3) To pay all necessary expenses in connection with the administration of  
 15 said fund and in carrying out the provisions of this Act for which provisions  
 16 are not made.

17 (4) The annuity to be shall be the sum of four hundred and eighty dollars

18 (\$480) per annum for each and every beneficiary of said pension fund, the said  
19 annuity to be paid in equal monthly installments.

20 (5) To take by gift, grant or bequest, or otherwise, any money or proper-  
21 ty of any kind and hold the same for the benefit of said fund.

22 (6) To exempt any of said employes from the operation of this Act, when-  
23 ever in its judgment the interests of said fund shall render such exemption  
24 necessary and advisable, subject to the approval of the said contributors of the  
25 pension fund.

26 (7) To make and establish all such rules for the transaction of its business  
27 and such other rules, regulations and by-laws as may be necessary for the  
28 proper administration of said fund committed to its charge, and the perform-  
29 ance of the duties imposed upon it.

30 (8) It shall keep full and complete records of its meetings and of the re-  
31 ceipts and disbursements on account of such fund, and also complete lists of all  
32 contributors to said fund, and of all annuitants receiving benefits therefrom,  
33 and such other records as in its judgment shall seem necessary, and shall make  
34 and publish annually a full and complete statement of its financial transactions.

35 (9) Said board shall hear and determine all applications for benefits under  
36 this Act, and shall have power to suspend any annuity whenever in its judg-  
37 ment the disability of such beneficiary has ceased, or for other good cause, sub-  
38 ject to the approval of the majority of the contributors to said pension fund.

39 (10) To comprise, settle or liquidate any claim against said fund, by sur-  
40 rendering the contribution or contributions of any individual or individuals and



41 make the necessary rules, prescribing the terms under which such settlements may  
42 be made, providing there shall be no rule allowing restitution of deduction from  
43 salaries after the contributor shall have become eligible to an annuity under this  
44 Act.

Sec. 7. Any contributor to said fund who shall have attained the age of  
2 fifty (50) years, and shall have been in the service of said House of Correction  
3 for a period of twenty (20) years, and shall have contributed to said fund for  
4 the same period, shall have the right to retire and become a beneficiary under  
5 this Act, and to receive the said benefit or annuity.

Sec. 8. Upon the death of any contributor, the said board of trustees shall  
2 pay the said annuity to the widow, as long as she remains the same of such de-  
3 ceased contributor, and if there is no widow, said board of trustees shall pay  
4 said annuity to the child or children of such deceased contributor, until such  
5 time as the youngest child shall reach the age of sixteen (16) years, and if there  
6 be no widow nor children the annuity shall be paid to the mother of such de-  
7 ceased contributor as long as she may live.

Sec. 9. Any person who has been an employe of said House of Correction  
2 for a period of twenty years or more, and is a contributor to said fund, may  
3 retire from the service of said House of Correction upon sixty (60) days' no-  
4 tice, to be given to said board of trustees (unless such notice is waived by said  
5 board of trustees) and become an annuitant under this Act: *Provided*, Such  
6 person shall have contributed to said fund for a period of not less than twenty  
7 years or shall pay into the fund the equivalent of twenty (20) years' contribu-  
8 tion thereto, and have attained the age of fifty (50) years.



Sec. 10. Any person who has contributed to said fund for a period of three (3) years or more may retire from the service of said House of Correction on account of serious disability rendering him or her unable to properly discharge his or her duties, upon ninety (90) days' notice to be given to the board of trustees (unless such notice is waived by said board of trustees) and may become an annuitant under this Act, and thereupon be entitled to receive said annuity until such time as he or she shall be able to properly discharge his or her duties or until death, when said board of trustees shall pay said annuity to the widow, child or mother of the deceased contributor, as hereinbefore provided.

Sec. 11. Any employee who has contributed to said fund for three (3) years or more and who shall be dismissed or resign from the service of said House of Correction, may upon application made within three (3) months after such dismissal or resignation, receive one-half ( $\frac{1}{2}$ ) of the total amount paid into said fund by such person so dismissed or resigned.

Sec. 12. Any person in the employ of the House of Correction at the time this Act is passed shall be eligible to become a contributor to said pension fund and shall be given credit for the time of his or her past services, upon the payment of 1 per cent of the salary he or she has received while in such employment.

Sec. 13. The chairman of the Board of Inspectors and the superintendent of the House of Correction shall certify monthly to the treasurer all amounts deducted in accordance with the provisions of this Act from the salaries paid by the House of Correction, which amounts as well as all other sums contributed to said fund under the provisions of this Act shall be set apart and held by said treasurer for the purpose hereinbefore specified subject to the order of said

7 board of trustees and shall be paid out upon warrants signed by the president  
8 and secretary of said board of trustees.

Sec. 14. All annuities granted under the provisions of this Act shall be ex-  
2 empt from attachment and garnishment process and no annuitant shall have the  
3 right to transfer or assign his or her annuity either by way of mortgage or other-  
4 wise.

Sec. 15. Any person who shall directly or indirectly avoid or seek to avoid  
2 any or all the provisions of this Act, or who shall directly or indirectly inter-  
3 fere with, or obstruct the enforcement of any of the provisions of this Act,  
4 shall be guilty of a misdemeanor, and shall, on conviction thereof, be punished  
5 by a fine of not less than fifty dollars (\$50) and not exceeding one thousand  
6 dollars (\$1,000) or by imprisonment in the county jail for a term not exceeding  
7 ing six (6) months, or both, such fine or imprisonment in the discretion of the  
8 court.

- 1 Introduced by Mr. Cermak, February 19, 1907.
- 2 Read by title, ordered printed and referred to Committee on Building, Loan and Homestead Associations.

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## A BILL

For an act to regulate the business of all persons, copartnerships, associations, organizations or corporations which are now, or shall hereafter, be engaged in the business as home co-operative companies, or in business of issuing contracts of agreements, whether in the nature of a bond, debenture, certificate, or otherwise, providing for the redemption or fulfilling of such contracts or agreements as by an accumulation of a fund or funds from contributions made by the subscribers to or the holder of such contracts at agreements or providing for the maturing or fulfilling of such contracts or agreements in the order of their issue, or in some other fixed or arbitrarily determined order, or providing for the payment of money or the granting or giving of any consideration greater in value than the amount paid in upon such contract, together with the actual net earnings accrued and accumulated thereon, or providing for the loaning of funds contributed by the subscribers to or the holders of such contracts or agreements to such subscribers or to the holder in any fixed or arbitrarily determined order or manner, or for the making of loans or advances from such funds to or for such subscribers or holders to be repaid in installments, except all persons, copartnerships, associations, organizations or cor-

porations doing business under the provisions of the statutes provided for the regulation of bond, investment, trust or insurance companies, or banks, savings fund, building and loan, fiduciary relief or fraternal orders, associations, or companies.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
*represented in the General Assembly:* That any person, copartnership, association, organization or corporation which is now engaged in or shall hereafter engage in issuing contracts or agreements, whether in the nature of a bond, debenture, certificate or otherwise, providing for the redemption or the fulfilling of such contract or agreement by the accumulation of a fund or funds from the contributions made by the subscribers to or the holders of such contracts or agreements; or providing for the maturing or fulfilling of such contracts or agreements in the order of their issue or in some other fixed or arbitrarily determined order or manner; or providing for the payment of moneys or granting or giving of any consideration, money or property, personal, real or mixed, greater in value, represented to be greater in value, than the amount paid in upon such contracts or agreements, together with the actual net earnings accrued and accumulated thereon; or providing for the loaning of the funds contributed by subscribers to or the holders of such contracts or agreements to such subscribers or holders in any fixed or arbitrarily determined order or manner, or for the making of loans or advances from such funds to or for such partnerships, associations, organizations or corporations as are



20 organized or doing business under the statutes now in existence, or  
 21 which may hereafter be enacted as excepted in section 8 of this Act, shall  
 22 and the same are required for the protection of the subscribers to or the  
 23 holders of the contracts or agreements to deposit with the State Treasurer  
 24 in cash, United States bonds, or bonds of any county, or municipal township,  
 25 or such parts of each of the above mentioned securities so that the whole  
 26 deposit shall be equal in cash value to sum of \$25,000, or any addi-  
 27 tional deposit as is herein required, and whenever the liability of such  
 28 contract or agreements, as hereinafter determined, shall exceed the amount of  
 29 such deposit, there shall be made an additional deposit on the first day of  
 30 January and July of each year, in a sum sufficient to cover the excess liabili-  
 31 ties accrued during the last preceding six months: *And Provided, further,*  
 32 That no part of such original deposit of \$25,000 shall be derived from or  
 33 consist of any funds contributed by the subscribers to, or the holders of any  
 34 such contracts or agreements.

Sec. 2. All persons, copartnerships, associations, organizations or cor-  
 2 porations now engaged in any business sought to be controlled by this Act shall  
 3 within thirty days from the passage of this Act, and all such commencing  
 4 business after its passage, shall before commencing to do business, file with  
 5 the Auditor the certificate of the Treasurer of the State of Illinois, certifying  
 6 that the deposit required under this Act has been duly made; a certified copy  
 7 of their articles of association or incorporation, or contracts of copartner-  
 8 ship; their by-laws and their detailed statement of their plans for doing  
 9 business, together with copies of all contracts or agreements proposed to be  
 0 used in the conduct of their business, and it shall be the duty of such Aud-  
 itor to investigate and thoroughly examine into all such matters, and if he finds



12 that the laws have been complied with and that the business proposed to be  
 13 done is not in conflict with the laws and Constitution of this State, he shall grant  
 14 them a certificate authorizing them to do business, and said contract and plans  
 15 so submitted and approved shall not in any manner to be or altered until  
 16 the proposed change is submitted to and approved by the said Auditor.

Sec. 3. If any person, copartnership, association, organization or corpora-  
 2 tion, whether they be citizens of this State or of some other state, shall attempt to  
 3 place or sell any contract or agreement, or shall attempt to do or transact any  
 4 business whatever in the name or on behalf of any person, copartnership, as-  
 5 sociation controlled by this Act without first complying with the provisions of  
 6 this Act, said persons, officers, agent, corporation or representative shall be  
 7 deemed guilty of a misdemeanor, and upon conviction thereof shall be punish-  
 8 ed by imprisonment in the county jail not to exceed one year, or by a fine of  
 9 not less than one hundred nor more than one thousand dollars or by both  
 10 such fine and imprisonment in the discretion of the court.

Sec. 4. No contract or agreement, issued by any person, copartner-  
 2 ship, association, organization or corporation doing business under this Act  
 3 shall be forfeited for non-payment, but upon a failure to pay upon the same  
 4 according to the terms thereof for a period of six months, the same shall be  
 5 canceled and the holder thereof shall be credited with all payments made on ac-  
 6 count thereof, and such credit shall be payable to the holder on demand, pro-  
 7 vided he surrenders at the time of demand such canceled contract or agree-  
 8 ment.

Sec. 5. The holder of any contract or agreement issued by any person,  
 2 copartnership, association, organization or corporation doing business under

3 this Act may withdraw the same at any time on thirty days' written notice; and  
 4 shall be entitled to receive thereafter, on demand, the full amount paid on ac-  
 5 count thereof. If the same is withdrawn before the expiration of one year after  
 6 date; and if withdrawn after one and before two years after date, he shall re-  
 7 ceive the full amount paid in on account thereof, together with three per cent  
 8 interest thereon.

Sec. 6. The liabilities upon such contract or agreement as may be issued  
 2 by any person, copartnership, association or corporation doing business under  
 3 this Act shall at all times be the amount paid on account thereof, together with  
 4 interest at the rate of three per cent per annum thereon, and whenever such  
 5 person, copartnership, association or corporation shall be unable to pay off  
 6 all debts due to creditors and to pay holders of its outstanding contracts or  
 7 agreements the amount paid on account thereof, together with interest at the  
 8 rate of three per cent per annum thereon, such person, copartnership, associ-  
 9 ation, organization or corporation shall be deemed to be insolvent.

Sec. 7. If any person, copartnership, association, organization or cor-  
 2 poration doing business sought to be controlled by this Act shall not, within  
 3 thirty days after going into effect of this Act, comply with the provisions  
 4 thereof, or shall become insolvent as hereinbefore provided, or shall become  
 5 unable to continue in business to the benefit and profit of their creditors and  
 6 the holders of their contracts or agreements, or shall fail, refuse or be un-  
 7 able to pay their withdrawals for a period of sixty days after demand made  
 8 as hereinbefore provided, or that it is conducting its business in a fraudulent,  
 9 illegal or unsafe manner, then the said Auditor shall bring action to have a  
 10 receiver appointed, and it shall be the duty of such receiver to take charge

of the assets, wind up the affairs, liquidate the debts and distribute the as-  
 12 sets of such person, copartnership, association, organization or corporation,  
 13 and the deposits with the State Treasurer provided for in this Act shall be  
 14 taken and deemed as a part of the assets, and the State Treasurer is hereby  
 15 authorized to pay such deposits in accordance with the requisitions made upon  
 16 the State Auditor by said receiver and approved by the court in which he is ap-  
 17 pointed.

Sec. 8. *Provided*, That nothing in this Act shall be construed to apply in  
 2 any manner to any person, copartnership, association, organization or corpor-  
 3 ation doing business under the provisions of the statutes for the regulation  
 4 of banks, savings fund trust companies, insurance companies, building and  
 5 loan associations or companies, relief or fraternal orders, associations or com-  
 6 panies.

Sec. 9. ANNUAL REPORT TO AUDITOR—PENALTIES FOR NOT MAKING, OR FOR  
 2 MAKING FALSE OR WRONG REPORTS The manager of every association do-  
 3 ing business within this State shall within 60 days next after December  
 4 31st of each year, file with the Auditor of Public Accounts of the State of  
 5 Illinois, with a fee of \$2.00, a detailed statement of the receipts and expendi-  
 6 tures of such association for one year next preceding the date of such report,  
 7 its assets and liabilities, which statement shall be in such form as shall be pre-  
 8 scribed by the Auditor. Such statements shall exhibit in full each, all and every  
 9 of the expenditures of such association, including all expenses of mangement.  
 10 All of such statements shall be sworn to by the manager before some of-  
 11 ficer authorized by the laws of this State and certified to by a committee of  
 12 three members of such association, not officers thereof, or by public accountants  
 13 appointed by the board of directors. Such statement, and also any other peri-

14 odical statement, shall be either mailed to each member or published in some  
 15 paper regularly issued in the county in which such association is located or  
 16 doing business within 60 days next after the same shall be compiled. Any  
 17 manager who shall wilfully neglect or refuse to file such statement shall  
 18 be subject to a fine of not less than \$25 nor more than \$200 for each neglect  
 19 or refusal to furnish such statement. The same may be recovered in any  
 20 court having competent jurisdiction in the name of the People of the State  
 21 of Illinois, on the relation of the said Auditor, for the benefit of the county  
 22 wherein said association is located or doing business, or in which such man-  
 23 ager may reside.

Sec. 10. EXAMINATIONS—It shall be the duty of the Auditor of Public  
 2 Accounts, in person, or by one or more persons to be appointed by him for  
 3 that purpose, not officers or agents of, or in any manner interested in such  
 4 association, at least once in each year to examine into the affairs of every  
 5 such association incorporated in this State, or doing business by its agents  
 6 in this State, and it shall be the duty of the officers of any agents of any  
 7 such associations to cause their books to be opened for the inspection of the  
 8 Auditor or person or persons so by him appointed, and otherwise facilitate  
 9 such examination so far as it may be in their power to do so, and for that  
 10 purpose the Auditor or person or persons so appointed by him shall have  
 11 the power to examine, under oath, the officers and agents of such associa-  
 12 tions relative to the business of such associations, and whenever the Aud-  
 13 itor of Public Accounts shall deem it for the best interests of the public so to do  
 14 he shall publish the result of any investigation in one or more newspapers  
 15 of general circulation, published in the county in which the principal office of  
 16 such association is located, and annually, on or before the first day of De-



17 cember of each year, the Auditor of Public Accounts shall report in writ-  
18 ing to the Governor the financial condition of all such associations doing bus-  
19 iness in this State. The Auditor shall receive for such examination, made  
20 by him in person or by deputy, his reasonable compensation and expenses, and  
21 said compensation and expenses shall be paid by the association so examined.



# 45th Assem. Amendments to House Bill No. 317 Apr. 1907

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## Amendments to House Bill No. 317

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### AMENDMENT NO. 1.

Amend section 2 of the printed bill by striking out the word "to" appearing after the word "manner" in the fifteenth line of said section 2.

### AMENDMENT NO. 2.

Amend section 2 of the printed bill by striking out the word "or" appearing in the fifteenth line of said section 2 after the word "be."

### AMENDMENT NO. 3.

Amend section 3 of the printed bill by striking out the word "or" appearing in the fourth line of said section 3 and substitute therefor the word "of."

### AMENDMENT NO. 4.

Amend section 5 of the printed bill by striking out the words "and before two years" appearing in line 6 of said section 5 and substitute therefor the word "year."

## AMENDMENT NO. 5.

Amend section 9 by striking out the entire section 9 appearing in said printed bill and substitute the following, to-wit:

SECTION 9. Annual Report to Auditor—Penalties for not making or for  
2 making false or wrong reports. Every such person or manager of every such  
3 co-partnership association, organization or corporation, as the case may be,  
4 doing business within this State under this Act, shall within sixty days next  
5 after December thirty-first of each year, file with the Auditor of Public Accounts  
6 of State of Illinois, with a fee of two dollars, a detailed statement of the re-  
7 ceipts and expenditures of such association for one year next preceding the  
8 date of such report, its assets and liabilities which statement shall be in such  
9 form as shall be prescribed by the Auditor. Such statements shall exhibit in  
10 full, each, all and every of the expenditures of such association including all ex-  
11 penses of management. All of such statements shall be sworn to by such per-  
12 son or manager as the case may be before some officer authorized by the laws of  
13 this State to administer oath and certify to by a committee of three members  
14 of such association not officers thereof, or by public accountants appointed by  
15 the board of directors or by such persons doing business under this Act, as the  
16 case may be. Such statement and also any other periodical statement shall be  
17 either mailed to each member or subscriber or published in some paper regu-  
18 larly issued in the county where such association, co-partnership, organization,  
19 corporation or person is located or doing business within sixty days next after the  
20 same shall be compiled. Any such person or manager, as the case may be, who  
21 shall wilfully neglect or refuse to file such statement, shall be subject to a fine  
22 of not less than twenty-five dollars (\$25.00) for each neglect or refusal to furn-  
23 ish such statement. The same may be recovered in any court having compe-

24 tent jurisdiction in the name of the People of the State of Illinois on the rela-  
 25 tion of the said Auditor for the benefit of the county wherein such association  
 26 is located or doing business, or in which such manager may reside: *Provided,*  
 27 *however,* That any such person or manager, as the case may be, wilfully or  
 28 knowingly making a wrong or false statement shall be deemed to be guilty of a  
 29 felony and upon conviction thereof, shall be imprisoned in the penitentiary for  
 30 a term of not less than one year nor more than ten years.

### AMENDMENT NO. 6.

Amend section 10 by striking out the entire section 10 appearing in said  
 printed bill and substitute the following, to-wit:

Sec. 10. Examination. It shall be the duty of the Auditor of Public Ac-  
 2 counts, in person or by one or more persons to be appointed by him for that pur-  
 3 pose, not officers or agents of or in any manner interested in such person, co-  
 4 partnerships, associations, organization or corporation doing business under  
 5 this Act, at least one in each year to examine into the affairs of every such per-  
 6 son, co-partnership, association, organization or corporation incorporated in  
 7 this State or doing business in this State under this Act, and it shall be the duty  
 8 of every such person or of the officers or agents of any such association, organ-  
 9 ization, co-partnership or corporation to cause their books to be opened for the  
 10 inspection of the Auditor or persons so by him appointed and otherwise facili-  
 11 tate such examination so far as it may in their power to do so, and for that pur-  
 12 pose the Auditor or person or persons so appointed by him shall have the power  
 13 to examine under oath, every such person or the officers and agents of every

14 such co-partnership, association, organization, relative to the business of such  
15 person, co-partnership, association, organization or corporation, and whenever  
16 the Auditor of Public Accounts shall deem it for the best interests of the public  
17 so to do he shall publish the result of any investigation in one or more newspa-  
18 pers in general circulation, published in the county in which the principle office  
19 of such person, association, co-partnership, organization or corporation is loca-  
20 ted, and annually on or before the first day of December of each year the Aud-  
21 itor of Public Accounts shall report in writing to the Governor the financial  
22 condition of all such associations doing business in this State. The Auditor  
23 shall receive for such examination made by him in person, or by deputy, his  
24 reasonable compensation and expenses and said compensation and expenses  
25 shall be paid by the association, person, co-partnership, organization or corpo-  
26 ration examined.



- 1 Introduced by Mr. Church, February 19, 1907.
- 2 Read by title, ordered printed and referred to Committee on Miscellaneous Sub-  
jects.

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## A BILL

For an act to amend section 1 of an act entitled "An Act to create and establish a Board of Health in the State of Illinois," approved May 28, 1877, in force July 1, 1877.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That section 1 of an an act entitled "An  
3 Act to create and establish a Board o<sup>t</sup> Health in the State of Illinois," be and  
4 the same is hereby amended so as to read as follows:

Sec. 1. The Governor, with the advice and consent of the Senate, shall ap-  
2 point seven persons who shall constitute the State Board of Health. The persons  
3 so appointed shall hold their offices for seven years: *Provided*, That the terms  
4 of offices of the seven first appointed shall be so arranged that the term of one  
5 shall expire on the 30th day of December each year, and the vacancy so created,



6 as well as all vacancies occurring otherwise, shall be filled by the Governor  
7 with the advice and consent of the Senate, and that appointments made when the  
8 Senate is not in session may be confirmed at its next ensuing session: *And Pro-*  
9 *vided, further, That within thirty days after July 1, 1907, the Governor shall ap-*  
10 *point two additional members of the said State Board of Health, one of whom*  
11 *shall represent the osteopathic school of medicine. The terms of such addition-*  
12 *al members shall expire seven years from December 30, 1907, and their succes-*  
13 *sors shall be appointed for the full term of seven years thereafter.*

- 1 Introduced by Mr. Church, February 19, 1907.
- 2 Read by title, ordered printed and referred to Committee on Miscellaneous Sub-  
jects.

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## A BILL

For an act to amend sections two and three of an act entitled, "An Act to regulate the practice of Medicine in the State of Illinois and to repeal an act therein named," approved April 24, 1899, in force July 1, 1899.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That sections two and three of an act  
3 entitled, "An Act to regulate the practice of Medicine in the State of Illinois  
4 and to repeal an act therein named," approved April 24, 1899, in force July 1,  
5 1899, be and the same is hereby amended so as to read as follows:

Sec. 2. No person shall hereafter begin the practice of medicine or any of the  
2 branches thereof, or midwifery in this State without first applying for and ob-  
3 taining a license from the State Board of Health to do so. Applications shall  
4 be in writing and shall be accompanied by the examination fees hereinafter

5 specified and with proof that the applicant is of good moral character. Ap-  
 6 plications from candidates who desire to practice medicine and surgery in all  
 7 their branches shall be accompanied by proof that the applicant is a grad-  
 8 uate of a medical college or institution in good standing. *A medical college*  
 9 *in good standing shall be a regularly chartered medical college which possesses*  
 10 *a full and complete faculty for teaching medicine, surgery and obstetrics*  
 11 *in all their branches, that affords students adequate clinical and hospital fa-*  
 12 *cilities and embraces in its curriculum anatomy, physiology, chemistry, ther-*  
 13 *apeutics, medicine, surgery, obstetrics, gynecology, histology, pathology, der-*  
 14 *matology, ophthalmology, otology, laryngology, neurology, physical diagno-*  
 15 *sis, hygiene, and medical jurisprudence, in four terms, aggregating thirty*  
 16 *weeks of thirty hours each. Where subjects additional to those above enumerated*  
 17 *are added to the curriculum of a medical college such as osteopathic thera-*  
 18 *peutics and comparative medicine, then the term shall be extended so as to*  
 19 *embrace a period of nine months for the year's work and including thirty*  
 20 *hours for each week thereof. When the application aforesaid has been in-*  
 21 *spected by the board and found to comply with the foregoing provisions,*  
 22 *the board shall notify the applicant to appear before it for examination at the*  
 23 *time and place mentioned in such notice. Examinations may be made in*  
 24 *whole or in part in writing by the board and shall be of a character suffi-*  
 25 *ciently strict to test the qualifications of the candidate as a practitioner. Examina-*  
 26 *tions of those who desire to practice medicine and surgery in all their branches*  
 27 *shall embrace those general subjects and topics a knowledge of which is commonly*  
 28 *and generally required of candidates for the degree of doctor of medicine by rep-*  
 29 *utable medical colleges in the United States, and shall include the subjects of*  
 30 *osteopathic therapeutics and comparative medicine when the applicant is a*

31 *graduate of a recognized medical college where such subjects form a part*  
 32 *of the curriculum.* Examinations of those who desire to practice midwifery  
 33 shall be of such character as to determine the qualifications of the applicant  
 34 to practice midwifery. The examination of those who desire to practice any  
 35 other system of science of treating human ailments who do not use medicine,  
 36 internally or externally, and who do not practice operative surgery shall be  
 37 of a character sufficiently strict to test their qualifications as practitioners.

38 All examinations provided for in this Act shall be conducted under the  
 39 rules and regulations prescribed by the board *not in conflict herewith*, which  
 40 shall provide for a fair and wholly impartial method of examination. *Exami-*  
 41 *nations in the subjects of Osteopathic Therapeutics and Comparative Medicine,*  
 42 *and Medicines, shall be under the supervision of the member or members of*  
 43 *the board representing the school of medicine which teaches such respective*  
 44 *subjects: Provided, That graduates of legally chartered medical colleges in*  
 45 *Illinois in good standing as may be determined by the board, may be granted*  
 46 *certificates without examination: And, Provided, further, That where an ap-*  
 47 *plicant presents a certificate which has been granted by the Illinois State Board*  
 48 *of Health upon a previous examination such applicant shall be given credit*  
 49 *for the subjects upon which he has passed successfully in such previous exam-*  
 50 *nation.*

Sec. 3. If the applicant successfully passes his examination, *including*  
 2 *in such examination all the subjects enumerated in section 2, or if he presents*  
 3 *a diploma from a legally charatered medical college, or osteopathic college, in*  
 4 *Illinois, of good standing, the board shall issue to such applicant a license au-*  
 5 *thorizing him to practice medicine and surgery in all their branches. Where*  
 6 *the applicant successfully passes the examination provided by the board for*



7 those who wish to practice midwifery or other system of treating human ail-  
 8 ments, he shall be licensed to practice such respective system. Osteopaths who  
 9 are graduates of osteopathic medical colleges in good standing in the State of  
 10 Illinois who shall successfully pass the examination on all the subjects enumerated  
 11 in section 2 of this Act shall be licensed to practice as physicians and surgeons,  
 12 and shall enjoy all the rights and privileges which physicians and surgeons  
 13 in this State now have, and shall have all the duties and obligations now  
 14 imposed by law upon physicians and surgeons: *Provided*, That those who  
 15 are authorized to practice other systems cannot use medicine, internally or  
 16 externally, or perform surgical operations: *Provided*, further, That only  
 17 those who are authorized to practice medicine and surgery in all their  
 18 branches shall call or advertise themselves as physicians or doctors: *And*,  
 19 *Provided*, further, That those who are authorized to practice midwifery shall  
 20 not use any drug or medicine or attend other than cases of labor. Such  
 21 license shall be in such form as may be determined by the board and in ac-  
 22 cordance with the provisions of this Act: *Provided*, however, That any willful  
 23 violation on the part of an applicant of any of the rules and regulations of the  
 24 board governing examinations shall be sufficient cause for the board to refuse  
 25 to issue a license to such applicant. Such certificates shall be signed by all  
 26 the members of the board and attested by its secretary.



AMENDMENTS TO

45th Assem.

HOUSE—No. 319

Apr. 1907

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Amendments to House Bill No. 319 adopted by House April 19, 1907.

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AMENDMENT NO. 1.

Amend the title to House Bill No. 319 so that the same will read as follows: "a bill for 'An Act to amend Sections 2 and 3 of an act entitled 'An Act to regulate the practice of medicine in the State of Illinois and to repeal an act therein named,' " approved April 24, 1899, in force July 1, 1899, as amended by an act approved May 10, 1901, in force July 1, 1901, as amended by an act approved May 13, 1905, in force July 1, 1905.

AMENDMENT NO. 2.

Amend House Bill No. 319 by inserting after the word "comparative" in line 30 of section 2 of the printed bill the words "theraputics and."

AMENDMENT NO. 3.

Amend House Bill No. 319 by inserting after the word "comparative" in line 41 of section 2 of the printed bill the words "theraputics and."

## AMENDMENT NO. 4.

Amend House Bill No. 319 by striking out the words "and medicines," in line 42 of section 2 of the printed bill.

## AMENDMENT NO. 5.

Amend House Bill No. 319 by striking out all section 2 after the word "further" in line 46 of the printed bill and insert in lieu thereof the following: "That the State Board of Health shall appoint three persons, one for one year, one year, one for two years, and one for three years, their successors to be appointed for three years each, who shall constitute a committee of the said board for the examination of those who desire to practice osteopathy, and who do not use medicine internally or externally, and who do not practice operative surgery. Each person so appointed shall file with the State Board of Health, before entering upon his duties, a certificate from the Illinois Osteopathic Association, setting forth that the person named in the certificate is a graduate of a reputable college of osteopathy, that he is of good moral character, and is in good standing in his progression. All applicants to practice osteopathy shall file with the said committee evidence of preliminary education equal to that required of practitioners of medicine and surgery, and a diploma from a reputable college of osteopathy, whose course of study is not less than three (3) years of nine (9) months each, no two (2) courses to begin in any one (1) twelve (12) months. On filing such evidence the committee shall examine the candidates on the subjects of osteopathic diagnosis, and the principles and practice of osteopathy. If a candidate shall pass this examination to be certified by the osteopathic examining committee to the State Board of Health, and shall

pass examination in the subjects of chemistry, anatomy, histology, physiology, pathology, hygiene, and physical diagnosis in the same manner as is required of other applicants before the State Board of Health, the State Board of Health shall issue to such successful candidate a certificate to practice osteopathy, such certificate from the Board, when recorded in the office of the clerk of the county in which the applicant desires to practice, as is required in the case of other certificates issued by the Board, shall authorize the holders thereof to practice osteopathy in the State of Illinois, but shall not permit him to use, prescribe or administer drugs either internally or externally, nor to perform surgical operations. The holders of such certificates shall be subject to the same rules and regulations as governed physicians in filing certificates of death, and in matters pertaining to the public health. Any person within sixty days after this Act takes effect holding a certificate issued by the State Board of Health, under which the said person was authorized to treat human ailments without the use of medicine internally or externally, and without performing surgical operation, can upon presentation of such certificate obtain a certificate to practice osteopathy, provided he or she presents a diploma from a reputable college of osteopathy, whose course of study was not less than two years of ten months each, and also evidence of one year's practice, or a diploma from a reputable college of osteopathy whose regular course was not less than three years of nine months each, on the payment of a fee of five dollars (\$5.00).

Any person holding a certificate to practice osteopathy in any other State shall, on presentation of such certificate receive a certificate to practice osteopathy in this State, provided the requirements for receiving such certificate in said other State are equivalent to those in this State, upon the payment of a fee of ten dollars (\$10).

## AMENDMENT NO. 6.

Amend House Bill No. 319 by inserting after the word "comparative" in line 18, section 2 of the printed bill the words "therapeutics and."

There being no further amendments, the foregoing amendments were ordered printed; and the question then being, "Shall the bill as amended, be engrossed for a third reading?" it was decided in the affirmative.

- 1 Introduced by Mr. Covey, February 19, 1907.
- 2 Read by title, ordered printed and referred to Committee on Municipal Corporations.

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## A BILL

For an act to amend the amended title and section five (5) of an act entitled "An Act to enable cities and villages to buy or construct waterworks and to provide for the management thereof, and giving them authority to levy an annual tax and pledge same in payment therefor," approved April 19, 1899, in force July 1, 1899.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That the amended title and section five  
3 (5) of an act entitled "An Act to enable cities and villages to buy or construct  
4 water works, and to provide for the management thereof, and giving them au-  
5 thority to levy an annual tax and pledge same in payment therefor," approved  
6 April 19, 1899, in force July 1, 1899, be and the same is hereby amended so as to  
7 read as follows:

Sec. 5. The city council in cities and the board of trustees in villages, shall  
2 have the power to issue bonds against the taxes levied, such bonds and the in-



3 terest thereon to be payable only out of said special tax when collected, and out  
4 of the net revenue which may be derived from the operation of such water  
5 works to the extent that such net revenue may be legally appropriated and ap-  
6 plied for that purpose, at the time of the maturity of such bonds and the inter-  
7 est thereon.

Sec. 2. The title of the act shall be amended so as to read as follows: "An  
2 Act to enable cities and villages to buy, construct or enlarge water works and to  
3 provide for the management therefor, and giving them authority to levy an  
4 annual tax and to pledge the same therefor, and to appropriate the net revenue  
5 derived from such waterworks to the extent that the same may be legally ap-  
6 plied for such purpose."

Sec. 3. WHEREAS, An emergency exists, therefore this Act shall take effect  
2 and be in force from and after its passage and its approval by the Governor.

- 1 Introduced by Mr. Coyle, February 19, 1907.
- 2 Read by title, ordered printed and referred to Committee on Education.

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## A BILL

For an act to provide for the annexation for township high school purposes, of any school township, or part of such township not having an established township high school, to any adjacent school township having an established township high school.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That upon petition of not less than five  
3 per cent of the voters of any school township not having an established township  
4 high school, which township adjoins any other school township then having an  
5 established township high school, or upon petition of not less than five per cent of  
6 the voters of any specified territory within such school township not having such  
7 high school, filed with the Township Treasurer of Schools at least fifteen days  
8 preceding the regular election of trustees of schools in said township, and  
9 upon petition of five per cent of the legal voters of the township having an

10 established township high school, filed with the Township Treasurer of  
 11 Schools of such township, at least fifteen days preceding the regular election  
 12 of trustees in such township, it shall be the duty of the Treasurer of the town-  
 13 ship not having a township high school to notify the voters of such township,  
 14 or, where the petition is for the annexation of a part of said township, to noti-  
 15 fy the voters of said part of said township that an election "For" or  
 16 "Against" annexing said school township, or part of the township, as the case  
 17 may be, will be held at the next regular election of trustees of schools of said  
 18 township, by posting notices of such election in at least ten of the most pub-  
 19 lic places throughout such township, or part of the township, as the case may  
 20 be, at least ten days before the date of such regular election, which notices may  
 21 be in the following form:

#### 22 HIGH SCHOOL ANNEXATION ELECTION.

23 Notice is hereby given that on Saturday, the.....day of April,  
 24 A. D.....an election will be held at ..... for  
 25 the purpose of voting "For" or "Against" the proposition to annex for town-  
 26 ship high school purposes the following territory, to-wit: (Here insert the  
 27 number and range of the township where the whole of the township is to be an-  
 28 nexed, or where part of the township is to be annexed insert the said part of  
 29 said township), to Township Number..... Range Number..... (Township  
 30 having an established high school).

31 The polls of said election will be open at .....o'clock and close at.....  
 32 o'clock of said day.

33

A B,

34

Treasurer.

Sec. 2. Where less than the whole of the township is to be annexed, only the voters in said territory in said township so to be annexed shall have the right to vote thereon in said township, and the trustees of schools of such township shall furnish and provide at said election a voting place for said territory, and shall provide for the judges and clerk of such election at said place.

Sec. 3. It shall also be the duty of the Treasurer of the Township having an established high school to notify the voters of said township that an election "For" or "Against" annexing township.....(naming the same), or part of the township.....(naming the same), as the case may be, will be held at the next regular election of trustees, by posting notices of such election in at least ten of the most public places throughout such township, for at least ten days before the date of such regular election, which notices may be in the following form:

#### HIGH SCHOOL ANNEXATION ELECTION.

Notice is hereby given that on Saturday, the.....day of April, A. D.....an election will be held at ....., for the purpose of voting "For" or "Against" the proposition to annex for township high school purposes the following territory, to-wit: (Here insert the number and range of the township where the whole of the township is to be annexed, or where part of the township is to be annexed insert the said part of said township), to Township Number....., Range Number..... (township having an established high school).

The polls of said election will be open at .....o'clock and close at..... o'clock of said day.

C D,

Treasurer.



Sec. 4. If the petitioners' petitions referred to in Section 1 of this Act request the Township Treasurers, respectively, to submit said question at a special election, then it shall be the duty of said Township Treasurers to call said respective elections, as provided in the foregoing sections, for some day and hour not exceeding thirty days from *the date* of the filing of said petition; and to give at least ten days' notice of said elections, in which event the polls of said elections shall be open for at least four consecutive hours, and the polling places in said respective townships shall be designated and fixed by said Treasurers, respectively: *Provided*, That there shall be at least two polling places in each of the townships.

Sec. 5. If a majority of the voters voting on said proposition in the township having an established high school, and also if a majority of the voters voting on said proposition in said township desiring to be annexed, or where part of the township is to be annexed, a majority of the voters voting in said territory on said proposition, shall vote in favor thereof, then said township or territory, as the case may be, shall be and become so annexed, and the property in said township or territory, as the case may be, shall thereafter be subject to taxation for the support and maintenance of said township high school, including the payment of any bonded indebtedness of said township high school, and interest thereon thereafter falling due after such annexation, as fully and to the same extent as is now, or may hereafter be provided by law for the levying of taxes upon property for the support and maintenance of township high schools. The taxes collected from said township or territory annexed for the support and maintenance of a township high school shall be paid by the officer collecting the same, to the Township Treasurer of the township having the established high school.



Sec. 6. Said election shall be held in the manner now or hereafter provided by law for the holding of elections for township trustees of schools, and the ballots of such election shall be received and canvassed, and the returns thereof made as in other school elections: *Provided, however,* That if said election shall be carried as provided by this Act, it shall be the duty of the Township Treasurer of the township which is annexed, or part thereof, as the case may be, to file a certificate with the County Clerk of the county in which said township is located, or if said township is situated in more than one county, with the respective clerks of said counties, certifying to the territory so annexed, giving a description thereof.

Sec. 7. WHEREAS, There are certain school townships in the State where the voters thereof are desirous of voting upon the matters in this Act set forth, at the next regular election for trustees, therefore an emergency exists, and this Act shall be and become in force from and after its passage.



- 1 Introduced by Mr. Daugherty, February 19, 1907.
  - 2 Read by title, ordered printed and referred to Committee on Manufactures,
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## A BILL

For an act to amend an act entitled, "An Act to provide for the appointment of a State Food Commissioner and to define his powers and duties and fix his compensation and to prohibit and prevent adulteration, fraud and deception in the manufacture and sale of articles of food and to repeal certain acts or parts of acts therein named," approved April 24, 1889, in force July 1, 1889, except as to penalties, as amended by "An Act to regulate the sale and analysis of concentrated feeding stuffs," approved May 18, 1905, in force July 1, 1905, by adding the following sections:

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Sec. 41. It shall be the duty of the said State Food Commissioner and  
2 his assistants to visit and inspect any and all hotels, restaurants, cafes and  
3 other places, catering for the public and all departments thereof, at any time,  
4 during business hours and to analyze or inspect any and all articles used, com-  
5 pounded or cooked, to be used or vended by such places as victuals or food

6 for their patrons in or about said hotel, restaurants or like places and to in-  
 7 spect and examine the rooms, materials, machinery, apparatus, dishes, con-  
 8 dition of rooms, premises and appurtenances and to note their condi-  
 9 tions as to cleanliness and hygiene and to note the methods em-  
 10 ployed in and about the preparation, keeping, storing and cooking of  
 11 food and the material out of which such food is made and the material  
 12 and implements and places where such food is prepared and to make, order  
 13 and command such reasonable changes as may be necessary, for the health  
 14 of the patrons of such hotel, restaurants, cafes and other places of like nature  
 15 where meals and food are vended for public use and to take such steps as  
 16 are necessary to insure pure and wholesome food and to regulate the prep-  
 17 aration of such food as shall be necessary for the protection of the health  
 18 and lives of the public.

Sec. 42. It shall not be lawful for any person or persons, association or  
 2 corporation, to sell, vend or offer to sell or vend any butterine or adulterated  
 3 article of food or to vend any imitation of any article of food without naming  
 4 such articles so vended by such proprietors, by their true and appropriate  
 5 name on a menu, printed, stamped or written and kept on the tables or  
 6 counters or in a conspicuous place in the room where such articles are  
 7 sold or food offered for sale or to place upon the tables or counter used and  
 8 occupied by the patrons where such butterine, imitation or adulterated food is  
 9 used or sold.

Sec. 43. No adulterated food containing any deleterious, poisonous or  
 2 unhealthy adulteration or made from any refuse or from any diseased substance  
 3 whatsoever, either in whole or in part.

Sec. 44. It shall not be lawful for any hotel keeper, restaurant keeper

2 or proprietor of any place where victuals or food are dispensed and sold to sell  
3 as pure food of any kind any adulterated articles or imitation of such pure  
4 food and it shall be the duty of the State Food Commissioner to prosecute any  
5 such persons coming within his knowledge.

Sec. 45. Any person violating the provisions of this Act shall be fined  
2 not to exceed \$200.00 for the first offense and upon the second conviction, shall  
3 be fined in a sum not less than \$25.00 or more than \$200.00 or imprisoned  
4 in the county jail not to exceed one year or both at the discretion of the court.





- 
- 1 Introduced by Mr. Daugherty, February 19, 1907.
  - 2 Read by title, ordered printed and referred to Committee on Judiciary.

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## A BILL

For an act to protect and define the rights of the people in the use of lands covered by navigable waters, swamp lands and other lands covered by water belonging to the State, and to provide for and protect the public in the use of such lands and waters and the enjoyment of such lands and waters and the game and fish thereon and therein within the State.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That all navigable streams and waters,  
3 lakes and bayous used for navigation or commerce, all meandered lakes and  
4 streams and all lands permanently covered by water, belonging to the State at  
5 any time and not specifically conveyed, granted or acquired by due process of law  
6 from the State shall be deemed the property of the State, in trust for the public  
7 and shall be known as "Submerged Lands," and subject to the provisions of this  
8 Act.

Sec. 2. It shall not be lawful for any person or persons, association or corporation whatsoever to hold, appropriate or occupy such submerged lands to the exclusion of the general public, nor to exercise ownership over the fish and game found on such lands covered by navigable streams, or to exercise ownership to the exclusion of the public over other submerged lands or streams not conveyed by the State to such person or his grantors and necessarily included in such grant, conveyance, or acquisition by legal proceedings.

Sec. 3. The owners of land bordering upon navigable waters shall have no right in the fish or game upon or in such waters, except that which is in common with the general public beyond low water mark, nor shall such owner of any lands surrounding lands submerged by water have any proprietary right in or to the fish or game in or upon such submerged lands originally owned by the State unless such submerged land was included in a conveyance or legal proceedings by which the State was divested of its title thereto.

Sec. 4. The fish and game upon or within the lands submerged as aforesaid, and belonging to the State, shall be owned by the State, in trust for the people and all persons shall have equal rights to hunt and fish upon such submerged lands, belonging to the State, subject to such restrictions and regulations as the Legislature may from time to time deem wise to enact.

Sec. 5. In case any person, persons, association or corporation has heretofore attempted or shall hereafter attempt to exclude the public, or appropriate, claim, occupy or take into possession any such lands belonging to the State of Illinois mentioned in this Act, it shall be the duty of the Attorney General of the State of Illinois and the State's Attorney of the several counties to institute quo warranto or other proper proceedings against such person, persons, association

7 or corporation within their jurisdiction holding, seizing or appropriating any such  
8 lands to their own exclusive use as against the public to dispossess them from  
9 such lands.

Sec. 6. In case the Attorney General or the State's Attorney shall refuse or  
2 neglect, upon written complaint filed with him supported by affidavit that any  
3 such person, persons, association or corporation is illegally holding possession  
4 or has seized, or taken possession of any such submerged lands belonging to the  
5 State as aforesaid to prosecute such case for dispossession, then upon the filing of  
6 a petition by one hundred legal voters of any county with the circuit clerk of such  
7 county together with a sufficient bond for costs, asking such proceedings be com-  
8 menced, said petitioners or one or more of them may commence proceedings in the  
9 name of the People of the State of Illinois in the circuit court of such county, where  
10 such lands, so unlawfully appropriated or taken into possession by such person,  
11 persons, association or corporation, are located, and process of summons may be  
12 issued to the sheriff of any such county or counties outside of the county where  
13 such land so appropriated, claimed or taken possession of is situated.





- 1 Introduced by Mr. Finnan, request, February 19, 1907.
- 2 Read by title, ordered printed and referred to Committee on Miscellaneous  
Subjects,

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## A BILL

For an act to amend section seven of an act entitled "An Act to regulate the practice of medicine in the State of Illinois, and to repeal an act therein named," approved April 24, 1899, and in force July 1, 1899,

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That section seven of an act entitled "An  
3 Act to regulate the practice of medicine in the State of Illinois, and to repeal an  
4 act therein named," approved April 24, 1899, and in force July 1, 1899, be, and  
5 the same is hereby amended so as to read as follows:

Sec. 7. Any person shall be regarded as practicing medicine, within the  
2 meaning of this Act, who shall treat, or profess to treat, operate on, or prescribe  
3 for any ailment or any physical injury to, or deformity of another, *or who shall*  
4 *examine or test the eyes of another person, and prescribe the use of glasses there-*

5 *for: Provided,* That nothing in this section shall be construed to apply to the ad-  
6 ministration of domestic or family remedies in cases of emergency, or to the laws  
7 regulating the practice of dentistry or of pharmacy. And this Act shall not  
8 apply to surgeons of the United States army, navy or marine hospital service in  
9 the discharge of their official duties, or to any person who ministers to or treats  
10 the sick or suffering by mental or spiritual means, without the use of any drug  
11 or material remedy.

- 1 Introduced by Mr. Gaumer, February 19, 1907.
- 2 Read by title, ordered printed and referred to Committee on License.

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## A BILL

For an act to prohibit the manufacture and sale of intoxicating liquors for beverage purposes and to regulate the sale thereof for medicinal, chemical, mechanical and sacramental purposes and to provide penalties for the violation thereof.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented*  
2 *in the General Assembly:* That intoxicating liquors within the meaning of this  
3 Act shall be deemed to include all spirituous, vinous, fermented and malt liquors.

Sec. 2. No person shall manufacture or assist in the manufacture of in-  
2 toxicating liquors in this State, except for medicinal, chemical, mechanical and  
3 sacramental purposes, and any person violating the provisions of this section  
4 shall be deemed guilty of a misdemeanor and shall be fined any sum not less than  
5 one hundred dollars (\$100.00), and not more than one thousand dollars (\$1,000.-  
6 00), and imprisoned for not less than three months and not more than one year  
7 in the county jail, for each offense.

Sec. 3. Whoever, shall, by himself or another, either as principal, clerk

2 or servant, directly or indirectly, sell any intoxicating liquor in any quantity,  
 3 except as hereinafter provided for medicinal, chemical, mechanical or sacramental  
 4 purposes, shall be fined not less than one hundred dollars (\$100.00), nor more  
 5 than five hundred dollars (\$500.00), and imprisoned in the county jail not less  
 6 than thirty days nor more than six months.

Sec. 4. That hereafter it shall not be lawful for the corporate authorities  
 2 of any city, town, village or county, in this State, to grant license for the keep-  
 3 ing of a dramshop, or other place for the sale of intoxicating liquors.

Sec. 5. Whoever, by himself, or his servant, shall sell or give intoxicating  
 2 liquors to any minor, or to any person intoxicated or to any habitual drunkard,  
 3 except the giving of the same be by a practicing physician or by his prescription  
 4 as hereinafter provided, in good faith for medicinal purposes, shall be fined not  
 5 less than two hundred dollars (\$200.00), nor more than five hundred dollars  
 6 (\$500.00), for each offense and imprisoned in the county jail not less than three  
 7 months nor more than one year.

Sec. 6. Every person, who shall buy or in any manner procure or aid in  
 2 procuring any wine, rum, brandy, gin, whisky, lager beer, hard cider, alcohol or  
 3 other vinous, malt, spirituous, fermented or mixed liquor, or any intoxicating liq-  
 4 uor whatever, for any minor, without the written order of the family physician  
 5 given as hereinafter provided, in good faith for medicinal purposes, or who shall  
 6 so procure or aid in procuring any of said liquors for any person intoxicated, or  
 7 who is in the habit of getting intoxicated, shall for every such offense be fined not  
 8 less than two hundred dollars (\$200.00), nor more than five hundred dollars  
 9 (\$500.00) and shall be imprisoned not less than three months nor more than one  
 10 year in the county jail.

Sec. 7. All places where intoxicating liquors are sold in violation of this Act, shall be taken, held and declared to become nuisances, and all rooms, taverns, eating-houses, bazars, restaurants, drug stores, groceries, coffee houses, cellars, parks or other places of public resort, where intoxicating liquors are sold in violation of this Act, shall be deemed public nuisances; and whoever shall keep any such place, by himself, his agents or servants, shall for each offense be fined not less than two hundred dollars (\$200.00), and not more than one thousand dollars (\$1,000.00), and shall be imprisoned not less than six months nor more than one year in the county jail, and it shall be a part of the judgment, upon the conviction of the keeper that the place so kept shall be shut up and abated, until the keeper of such place shall give bond, with sufficient security in the sum of five thousand dollars (\$5,000.00), payable to the people of the State of Illinois, conditioned that he will not sell any intoxicating liquors contrary to the statute of the State of Illinois, and that he will pay all fines, costs and damages assessed against him for any violation thereof; and, in case of a forfeiture of such bond, suit may be brought thereon for the use of the county, city, town or village, in case of a fine due to either of them. It shall not be necessary any prosecution under this section to state to whom the liquor was sold; and it shall further be part of the judgment in case of the conviction of any one as the keeper of such place under this section, that the defendant shall be forever enjoined by the order of the court from a further sale of such liquor in violation of the statute of this State, and the court shall have full power to cite such party for contempt of court and to impose fine and imprisonment therefor as the court shall deem just and right in the premises.

Sec. 8. Every person who shall by the sale of intoxicating liquors, cause the intoxication of any other person, shall be liable for and be compelled to pay a



3 reasonable compensation to any person who may take charge of and provide for  
 4 such intoxicated person, and five dollars (\$5.00) per day in addition thereto for  
 5 every day such intoxicated person shall be kept in consequence of such intoxica-  
 6 tion, which sums may be recovered in an action of debt before any court having  
 7 competent jurisdiction.

Sec. 9. Every husband, wife, child, parent, guardian, employer or other  
 2 person, who shall be injured in person or property, or in means of support by any  
 3 intoxicated person, or in consequence of the intoxication, habitual or otherwise,  
 4 of any person shall have the right of action in his or her own name, severally or  
 5 jointly, against any person or persons who shall, by selling or giving intoxicating  
 6 liquors, have caused the intoxication, in whole or in part, of such person or per-  
 7 sons; and, any person owning, renting, leasing, or permitting the occupation of  
 8 any building or premises, and having knowledge that intoxicating liquors are to  
 9 be sold therein, or who having leased the same for other purposes shall knowingly  
 10 permit therein the sale of any intoxicating liquors, that have caused in whole or  
 11 in part, the intoxication of any person, shall be liable severally or jointly with the  
 12 person or persons selling or giving intoxicating liquors aforesaid for all dam-  
 13 ages sustained, and for exemplary damages; and a married woman shall have the  
 14 same right to bring suits and control the same and the amount recovered as a  
 15 *feme sole*. And all damages recovered by a minor under this Act shall be paid  
 16 either to such minor, or to his or her parent, guardian or next friend, as the court  
 17 shall direct; and, the unlawful sale, or giving away of intoxicating liquors shall  
 18 work a forfeiture of all the rights of the lessee or tenant, under any lease or con-  
 19 tract of rent upon the premises where such unlawful sale or giving away, shall  
 20 take place; and, the lessor shall have the right to enjoin the sale of liquors in such  
 21 premises by a suit in chancery therefor; and all suits for damages under this

22 may be by any appropriate action in any of the courts of this State, having com-  
23 petent jurisdiction.

Sec. 10. For the payment of any judgment for damages and costs that may

2 be recovered against any person in consequence of the sale of intoxicating liquors  
3 under the preceding section, the real estate and personal property of such person,  
4 of every kind, except such as may be exempt from levy and sale upon judgment  
5 and execution, shall be liable; and, such judgment shall be a lien upon such real  
6 estate until paid; and in case any person shall rent or lease to another any build-  
7 ing or premises to be used or occupied, in whole or in part for the sale of intoxi-  
8 cating liquors, or shall knowingly permit the same to be so used or occupied, such  
9 building or premises so used or occupied shall be held liable for and may be sold  
10 to pay any such judgment against any person occupying such building or prem-  
11 ises; and, proceedings may be had to subject the same to the payment of any such  
12 judgment recovered, which remains unpaid, or any part thereof, either before or  
13 after execution shall issue against the property of the person against whom such  
14 judgment shall have been recovered; and, when execution shall issue against the  
15 property so leased or rented; the officer shall proceed to satisfy said execution out  
16 of the building or premises so leased or occupied, as the aforesaid: *Provided*, That  
17 if such building or premises belong to a minor or to other person under guar-  
18 dianship, the guardian or conservator of such person, and his real and personal  
19 property, shall be held liable instead of such ward, and his property shall be sub-  
20 ject to all the provisions of this section relating to the collection of said judgment.

Sec. 11. When the damages claimed, under either the seventh or eighth

2 sections of this Act, do not exceed the sum of two hundred dollars (\$200.00),  
3 the action therefor may be prosecuted before a justice of the peace of the proper

4 county, and judgment may be enforced in the same manner as other judgments  
5 recovered before the justices of the peace.

Sec. 12. Any fine or imprisonment mentioned in this Act may be enforced  
2 by indictment in any court of record having criminal jurisdiction, or the fine  
3 above may be sued for before any justice of the peace when within his jurisdic-  
4 tion, or the fines above provided for may be recovered in any court of record by  
5 suit in debt in which recovery may be had for any number of offenses under this  
6 Act, in one suit, and it shall be the duty of the State's Attorneys of the respective  
7 counties in this State to bring such suits: *And it is Furthermore Provided, That*  
8 any householder who shall give security for costs, to be approved by the clerk of  
9 the court, shall be allowed to sue in debt for such fines in *qui tam* actions, in the  
10 name of the people for the use of the people and the party suing, and in the event  
11 of recovery in such suit one-fourth of the amount recovered shall be due and pay-  
12 able to the party suing, and the remainder shall be paid into the public treasury,  
13 the same as other fines under the statute.

Sec. 13. Whenever any suit is brought against any person for the violation  
2 of the provisions of this Act, whether by indictment, information or complaint, or  
3 by suit in debt in a court of record, the summons or other writ issued shall state  
4 specifically that the suit is to recover penalties for the violation of this Act, and  
5 the same shall then be full power and authority to any officer executing the same,  
6 to search the premises of the defendant for any intoxicating liquors and all ar-  
7 ticles used in dispensing same; and to seize and hold the same until the further  
8 order of the court, and he shall in his return of service make return of the re-  
9 sults of such search and seizure, and upon the hearing of said cause by the court,  
10 if the court shall find and determine that any intoxicating liquors or articles so

11 used for dispensing the same were being held by the defendant for the purpose  
 12 of illegal sales of liquors under this Act, then the court shall order that the said  
 13 liquors and articles be destroyed by publicly burning the same.

Sec. 14. It shall be unlawful for any person or persons to sell or barter  
 2 for medicinal, scientific, mechanical or sacramental purposes any intoxicating  
 3 liquors, excepting registered pharmacists under the laws of the State, and who  
 4 shall be subject to all the restrictions herein provided in making such sales.

Sec. 15. Any physician who is lawfully and regularly engaged in the  
 2 practice of his profession as a business, and who, in case of actual need, shall  
 3 deem any of the liquors mentioned in this Act necessary for the health of his  
 4 patients, may give such patient a written or printed prescription therefor, or may  
 5 administer the same himself. But no such prescription shall be given or liquors  
 6 administered except in case of actual need, and when in his judgment the use of  
 7 intoxicating liquors is necessary, and he acts *bona fide* in giving the same. And  
 8 every physician who shall give such prescription or administer such liquors in  
 9 violation of this Act, and every physician who shall give to or write for any  
 10 person a prescription for intoxicating liquors for the purpose of enabling or as-  
 11 sisting any person to evade any of the provisions of this Act, or for the purpose  
 12 of enabling or assisting any person to procure any intoxicating liquors for use  
 13 as a beverage, or to be sold or disposed of in any manner, in violation of the  
 14 provisions of this Act, shall be deemed guilty of a misdemeanor, and upon con-  
 15 viction thereof shall be punished by a fine of not less than one hundred dollars  
 16 (\$100.00), and not more than two hundred dollars (\$200.00) for the first offense,  
 17 and by a fine of not less than two hundred dollars (\$200.00) nor more than five  
 18 hundred dollars (\$500.00) for any subsequent offense, and for the third offense  
 19 in addition to said fine the court shall sentence the defendant to imprisonment in



20 the county jail for not less than thirty days nor more than one year; and may as  
 21 a part of the judgment in such case order and declare the license of such physician  
 22 to practice medicine in this State, forfeited, annulled and canceled.

Sec. 16. Any druggist having been duly and legally registered as a pharma-  
 2 cist under the laws of this State, shall have the right to sell intoxicating liquors  
 3 for medicinal purposes, upon the prescription of a physician as provided in the  
 4 foregoing section: *Provided*, That he shall preserve all such prescriptions in a  
 5 well bound book therefor, separate and apart from all other prescriptions, and  
 6 shall at all times keep said book in his drug store or pharmacy in such a place  
 7 that the same shall be accessible to the public, and that the same shall be subject  
 8 to inspection at all times when said store is open for business, by any person what-  
 9 soever: *And, Provided Further*, That he shall be required when ordered to do so,  
 10 to produce the same in court in any proceeding under this Act.

Sec. 17. Any druggist having duly and legally registered as a pharmacist  
 2 under the laws of this State, shall have the right to sell intoxicating liquors for  
 3 mechanical, scientific, chemical and sacramental purposes, only upon the written  
 4 or printed affidavit of the applicant, setting forth the particular purpose for  
 5 which such liquor is required, the kind and quantity desired, that it is not to be  
 6 used as a beverage, nor to sell, nor to give away and that it is intended only for  
 7 his own use, and that the applicant is over twenty-one years of age.

Sec. 18. There shall be but one sale and but one delivery of liquors under  
 2 either the prescription or affidavit above provided.

Sec. 19. Every person who shall procure intoxicating liquors for any pur-  
 2 pose other than set forth in the affidavit made as provided herein, shall be



3 deemed guilty of perjury and prosecuted and upon conviction thereof, shall be  
4 sentenced to confinement in the county jail for not less than six months and not  
5 more than one year.

Sec. 20. Any druggist or pharmacist, his clerks, agents, or servants, who  
2 shall sell intoxicating liquors contrary to the provisions of this Act as to sales  
3 by druggists or pharmacists, shall be subject to like fine and penalty as herein  
4 provided for the sales of intoxicating liquors by other persons; and in addition  
5 thereto whenever any registered pharmacist is convicted for the third time of sell-  
6 ing liquors in violation of this Act, it shall be a part of the judgment that the  
7 certificate of registration of said pharmacist shall be revoked and it shall be un-  
8 lawful for him to be again registered or to again practice as a pharmacist in this  
9 State, and upon filing a certified copy of such judgment with the State Board of  
10 Pharmacists, said board shall not thereafter issue any further certificate of regis-  
11 tration or renewal of any certificate of registration as a pharmacist to the person  
12 so convicted.

Sec. 21. All laws in conflict herewith are hereby repealed.



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- 1 Introduced by Mr. Gibbons, February 19, 1907.
  - 2 Read by title, ordered printed and referred to Committee on Revenue.
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## A BILL

For an act entitled "An Act requiring public service companies and corporations to make and file certain parts and schedules of their property with the supervisor of assessments or board of assessors as the case may be for the purposes of assessment for taxation,"

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That hereafter it shall be the duty of all  
3 telephone companies, telegraph companies, electric lighting companies, water  
4 companies, gas companies, heating companies, electric railroad companies,  
5 steam railroad companies and all other public service companies and corpora-  
6 tions operated under any franchise from this State or from any county, city, vil-  
7 lage or other municipality of this State, to file with the supervisor of assessments  
8 or the board of assessors as the case may be, of each county in which their pro-  
9 perty is located on or before the 1st day of April of each year, for the pur-

poses of assessment for taxation a schedule of all personal property owned, leased or controlled by such company or corporation in said county, together with a plat showing the location and mileage of all pole lines, wires, pipes, mains, conduits, railroad tracks and right of way owned, operated and controlled by such companies and corporations in said county, together with a detailed description of such property with proper markings and identifications and, in case of surface wire and pole lines, indicating number, size and kind of wires, size of poles and number and sizes of crossarms, and in case of underground construction the size and length of pipes or conduits and where wires are placed underground the number, size and kind of wires used.

Sec. 2. Such schedule so filed shall contain a complete itemized list of all personal property owned, leased or controlled by such companies or corporations in said county and opposite each item of personal property shall be set forth the fair cash value of the same.

Sec. 3. Where two or more telegraph or telephone companies use the same pole line for the support of their telephone or telegraph wires, such plat to be filed as heretofore set forth shall show how many and what portions of the lines and wires so supported by said line and poles are owned, controlled and operated by each of such telegraph or telephone companies, separately, together with the mileage of the same and such plat shall further show the location of the wires of each company or corporation on such line of poles.

Sec. 4. If any such company or corporation shall make or file a false and fraudulent schedule or plat required to be filed by this Act or shall fail to file with the Supervisor of Assessments or Board of Assessors as the case may be, such schedule or plat as provided by this Act, on or before the 1st day of

5 April of each year hereafter, such company or corporation shall be liable to a  
6 penalty of not less than five hundred nor more than one thousand dollars for  
7 each offense, to be recovered in any proper form of action in the name of the  
8 People of the State of Illinois, on complaint of any person, such fine when col-  
9 lected to be paid into the county treasury.

Sec. 5. If any such company or corporation shall fail to comply with the  
2 provisions of this Act and shall fail to file a full and complete schedule and  
3 plat of its property as herein provided by the 1st day of April of each year,  
4 it is hereby made the duty of the Supervisor of Assessments of the Board of  
5 Assessors as the case may be, to employ a suitable person to make such  
6 schedule and plat, and collect such information as the Supervisor of Assess-  
7 ments or the Board of Assessors may deem necessary for the proper assessment  
8 of such property, and the cost thereof shall be paid by such company and may  
9 be recovered in any proper action by the county.





- 1 Introduced by Mr. Hamilton, by request, February 19, 1907.
- 2 Read by title, ordered printed and referred to Committee on Corporations.

## A BILL

For an act providing for the incorporation and control of rural cemetery associations.

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
*represented in the General Assembly:* A rural cemetery association may be  
formed by any three or more persons in the following manner: At a meeting of  
such persons they shall determine upon a name for such association, define  
the territory in general terms within which the association proposes to locate its  
cemetery, and name the persons, not less than three, who shall be trustees of such  
association until it shall have acquired land for a cemetery, or until the success-  
ors of such trustees shall have been duly chosen. The foregoing facts shall be set  
forth in writing, a copy of which writing duly acknowledged in deed form by all  
the persons present at such meeting, shall be filed with the Secretary of State;  
and a duplicate of such writing, bearing the acknowledgment of receipt thereof  
by such Secretary of State, under seal, shall be full authority for such associa-

tion to transact business as a rural cemetery association. Any cemetery association organized under the provisions of this Act may set apart not to exceed one acre of the land owned by said association and construct thereon, and afterwards operate, a crematory for the cremation of the dead, and said crematory shall be exempt from taxation.

Sec. 2. Before acquiring any land for use as a cemetery, such association shall receive the written consent of the governing body of each township within which the proposed cemetery may be situated, for the carrying on of a cemetery and crematory business upon such land and an original of such written consent shall be filed by such association in the office of the recorder of each county in which any portion of such proposed cemetery may lie: and such consent shall thereafter be irrevocable, except for cause duly shown to the satisfaction of any court of competent jurisdiction, from whose decision appeal shall lie as in any other matter brought before such court: *Provided*, That such association shall be amenable to reasonable police regulation and the rules relative to interments of any health board of competent jurisdiction, and shall strictly conform to all the statutes of the State in that behalf enacted.

Sec. 3. Upon the due filing of the consent provided for in the last section, all the lands and property of such association thereafter acquired and used for its cemetery purposes shall be forever exempt from all taxation: *Provided*, That such association, pending the development of any portion of its land for actual use for burial purposes, may devote the same to grazing or other general agricultural purposes, or may lease the same therefor, subject to taxation as to the portion of such land actually so used, at the rate levied by authorities of competent jurisdiction upon unimproved real property; but, in order to secure the benefit of this provision, such association shall file with each assessor of compe-

10 tent jurisdiction over any portion of such land, a description of that portion of  
 11 its land proposed to be so utilized, giving its metes and bounds as near as may be,  
 12 and be subject to such examination as to the facts as such assessor or assessors  
 13 may reasonably prescribe: *Provided, however,* That if the land of such asso-  
 14 ciation be not opened for burial purposes and developed at least in part as a  
 15 cemetery within three years after its acquirement by such association, such land  
 16 shall be subject to taxation from the date of such acquirement at the same rate  
 17 as would have been levied thereon, had it never been so acquired.

Sec. 4. Such association may acquire land by paying therefor in any man-  
 2 ner, solemnly described in deed covenants, which shall provide for the removal  
 3 of all encumbrances upon the title of such land and the secure dedication thereof  
 4 to the purposes of a cemetery and its perpetual maintenance in a condition  
 5 reasonably appropriate for a well-kept cemetery. And, in lieu of any payment  
 6 in cash, it may be agreed in such deed, to set apart absolutely, as the price of  
 7 such land to be paid to the grantor or grantors thereof, and his or their heirs or  
 8 assigns, an entire one-half of the gross price and proceeds due from the sale of  
 9 burial lands in its cemetery so acquired, and, in addition, after paying from the  
 10 remainder of such proceeds the cost of its proper development and embellishment  
 11 in accordance with cemetery standards of the land so acquired, and the payments  
 12 of its current expenses, to pay to such grantor or grantors, his or their heirs  
 13 or assigns, the total surplus remaining in its hands, under such conditions assur-  
 14 ing perpetual care to its cemetery, as may be set forth in such deeds; but such  
 15 deed shall convey to such association the absolute title to such land, together with  
 16 the possession thereof and the right to use the same for all the purposes of a  
 17 cemetery. Participation in the fund so as hereinbefore authorized to be set apart  
 18 by such association, in payment for its land, may be evidenced by certificates,

19 issued to the grantor, grantors, or their assigns, defining the proportion in which  
 20 the holders of such certificates shall participate in such fund. Default in making  
 21 payments of such land-purchase fund to certificate holders shall in no wise affect  
 22 the title of such association to its said land, but any court of competent juris-  
 23 diction may ordain a receivership for the possession and management thereof until  
 24 such default shall have been made good and all obligations of such association  
 25 duly discharged: *Provided*, That nothing herein contained shall be construed to  
 26 shield such association and its officers from prosecution for conversion of funds  
 27 due to the holders of certificates of participation therein, or to any other person  
 28 entitled in any way thereto.

Sec. 5. Within three months after the acquirement of any land for its ceme-  
 2 tery, such association shall file in the recorder's office or recorder's offices of the  
 3 county or counties in which such land may be in whole or in part located, a state-  
 4 ment duly acknowledged by its president, under its corporate seal, attested by its  
 5 secretary, giving the names and addresses of the trustees and officers of said asso-  
 6 ciation at the time of filing such statement, together with a reference to the book  
 7 and page in such recorder's office or recorder's offices wherein the conveyance of  
 8 such land to such association has been recorded. Such land must be contiguous  
 9 and not separated in any manner except by highways or railway lines.

10 The trustees of any cemetery association may accept land-purchase certifi-  
 11 cates, if the same be offered by any person, as a donation, and said certificates  
 12 may be sold by said trustees and the proceeds expended to build a crematory upon  
 13 the grounds of said cemetery set apart for that purpose, and the profits arising  
 14 from the operation of said crematory shall be annually distributed among the  
 15 owners of the outstanding land-purchase certificates in the same manner as the  
 16 proceeds from the sales of one-half of said association are distributed.



17       The trustees of any cemetery association may issue certificates of indebted-  
 18 ness, with interest coupons attached; said certificates to run for not to exceed  
 19 twenty years and to bear interest at not to exceed six per cent per annum, pay-  
 20 able semi-annually; and which said certificates of indebtedness shall be a lien  
 21 upon the revenue of said association derived from the sale of the one-half interest  
 22 in all lots sold by said association.

      Sec. 6. After the acquirement of such land, it shall be the duty of the  
 2 president of such association within thirty days after each annual meeting, to  
 3 execute in duplicate a statement duly acknowledged under the seal of the asso-  
 4 ciation by the president showing the date upon which such annual meeting was  
 5 held, the names of the trustees holding office for its next fiscal year, together  
 6 with their places of residence, and the date, hour and place at which the next  
 7 annual meeting of such association shall be held, as determined by vote at such  
 8 meeting, which date shall not thereafter be changed prior to such annual meet-  
 9 ing, and to file one such duplicate in the office of the recorder of the county in  
 10 which the land of the association is situated. If such land shall lie in more than  
 11 one county, then a like verified statement shall be filed in the office of the re-  
 12 corder of each county wherein any portion of such land may lie.

      Sec. 7. At the next annual meeting after the acquirement of its land, the  
 2 members of such association shall determine the number of trustees, not less  
 3 than three, to be elected to hold office for the ensuing year. If at the date of  
 4 any annual meeting there shall be present ten lot-holders in such cemetery, such  
 5 lot-holders shall choose by ballot such trustees, and none but lot-holders shall be  
 6 entitled to vote. If there be less than ten lot-holders present at any annual meet-  
 7 ing, each member of the board of trustees shall be entitled to one vote, and each

lot-holder present shall be entitled to cast the number of votes to which he may be entitled by his lot holdings, as hereinafter provided. After the election at the first annual meeting after the acquirement of land by such association of the number of trustees determined upon for the ensuing fiscal year, such trustees shall be divided by further balloting into three classes, the first class to hold office for one year, the second class for two, and the third class for three years from the date of such election, the number of trustees not being divisible by three, the shortest or shorter term to take the smaller number, and the terms of each trustee to be for the period specified and until his successor shall have been chosen.

After such first election and at every election thereafter, the holders of land-purchase certificates shall be entitled to one vote for each ten land-purchase certificates owned by him.

Sec. 8. At least ten days prior to each annual meeting the trustees shall publish a notice thereof and its purpose in a newspaper of general circulation in each county in which any portion of the lands of such association may be situated, the date, hour and place of such meeting to be the same as that fixed at the last annual meeting and embodied in the verified statement hereinbefore provided for; but after the convocation of such meeting, the same may adjourn from time to time, as a majority thereat may determine.

Sec. 9. The trustees may, by a majority vote, pass such by-laws, relative to their meetings, quorums, and all executive business, as may seem good to them. They shall have entire control by themselves and by their committees and agents duly authorized of all the business of such association; and they prescribe such reasonable rules and regulations with regard to the holding of lots in the ceme-

6 tery of the association, as are usual in similar matters and permitted by the  
7 statutes.

8 They may appoint such officers as are usual for the proper conduct of  
9 corporate business, with like responsibilities, compensating them reasonably from  
10 the funds of the association for their services and reimbursing them for expen-  
11 ditures made in the service of the association; and the trustees may likewise  
12 and for like reason be reimbursed from the funds of the association and com-  
13 pensated reasonably for any loss of time spent in its immediate service.

14 Such by-laws may be amended by a two-thirds vote of such trustees, and  
15 upon written notice thereto served at the meeting of trustees next previous to that  
16 at which any proposed amendment is voted upon.

Sec. 10. No association organized under this Act shall issue any stock cer-  
2 tificate; but nothing herein contained shall be construed to prevent the purchase  
3 of land by any such association and the payment therefor by the issuance of cer-  
4 tificates of title to definite amounts of the proceeds of sale of such land, as part  
5 of the purchase price thereof, such certificates to be regarded as purchase-money  
6 scrip only, and to entitle the holders thereof to the payments therein promised, at  
7 the times and in the amounts specified.

Sec. 11. The board of trustees of any association organized under this Act,  
2 shall, once in three years, and oftener if required by the county court of any  
3 county in which its land shall, in whole or in part, lie, and oftener if required  
4 by such court, make to the judge of such court a full and complete re-  
5 port of the money and other property received by said association, and of the  
6 expenses of said association, and if the said report is found by said county judge

7 to be true and correct, he shall approve the same, and direct the clerk of the  
 8 county court to record the same in the records of said court. But if the said  
 9 county judge shall disapprove said report, he shall order said board of trustees  
 10 to make a true and correct report, and upon the failure of said board of trustees  
 11 to obey such order, or properly to account for any and all money which may  
 12 have come into their hands for the use of said association and for the payment  
 13 of the purchase price of said land, as hereinbefore set forth, then said county  
 14 judge, by his written order, shall direct the State's Attorney in and for such  
 15 county to institute suit in any court of competent jurisdiction against said trus-  
 16 tees, or such of them as are responsible for any misappropriation or wrongful use  
 17 of such funds, in the name of the People of the State of Illinois, for the use of  
 18 said association and of the grantor or grantors of such land, his or their assigns,  
 19 to recover from such trustees, so responsible for such misappropriation or  
 20 wrongful use of such funds, the amount of money so misappropriated or wrong-  
 21 fully used, and it is hereby made the duty of such State's Attorney, when so  
 22 directed by said county court, to institute and prosecute such suit to final judg-  
 23 ment.

Sec. 12. For misconduct in office, any of said trustees of said cemetery asso-  
 2 ciation may be removed from office by order of the county judge of  
 3 the county in which said association is situated: and the vacancy thus  
 4 made may be filled by the remaining trustees until the next annual election.

Sec. 13. This Act shall not be deemed to conflict with any other act enacted  
 2 by the People of Illinois represented in the General Assembly, for the incorpora-  
 3 tion and control of cemetery associations, neither invalidating nor being invali-  
 4 dated in any section thereof by any such act. The validity of the organization

5 and procedure of any such association shall be tested by the provisions of the  
6 act under which it shall state in its certificate of organization that it is organ-  
7 ized and by the provisions of no other act whatever.





- 1 Introduced by Mr. Hill, by request, February 19, 1907.
- 2 Read by title, ordered printed and referred to Committee on Banks and Banking.

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## A BILL

For an act for the recovery of interest overpaid on usurious contracts.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That whenever any person, persons, or  
3 corporation shall directly or indirectly, accept or receive, in money, goods, dis-  
4 counts, or thing in action, or in any other way, any greater sum or greater value,  
5 for the loan, forbearance or discount of any money, goods or thing in action,  
6 than seven (7) per cent per annum as prescribed by section four (4) of an act  
7 in relation to the rate of interest, such person, persons or corporation receiving  
8 the same shall become liable to the person or persons paying the same, in an  
9 action of assumpsit for the amount of interest paid over and above seven (7)  
10 per cent per annum, with interest at five (5) per cent per annum on the amount  
11 overpaid from date of its payment,

12 Whenever a demand in writing shall be made upon any person, persons or  
13 corporation for the repayment of such excess of usurious interest and such re-  
14 payment shall not be made within five (5) days, then in any suit thereafter  
15 brought for the recovery of such excess of usurious interest the court in which  
16 suit is brought may in its discretion allow to the plaintiff a reasonable amount  
17 for attorney's fees, to be taxed as costs.

18 This Act shall not be construed so as to in any way affect, change, modify  
19 or impair the provision of section six (6) of an act in relation to the rate of in-  
20 terest.

- 1 Introduced by Mr. Hruby, February 19, 1907.
- 2 Read by title, ordered printed and referred to Committee on Judicial Department and Practice.

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## A BILL

For an act entitled “An Act entitling persons recovering or obtaining verdicts or judgments in civil actions at law to special damages for attorney fees.”

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That in all civil actions at law whereupon  
3 the trial thereof in any court of record any plaintiff, plaintiffs, defendant or  
4 defendants may recover or obtain the verdict, judgment or finding, the plain-  
5 tiff, plaintiffs, defendant or defendants recovering or obtaining such verdict,  
6 judgment or finding, shall be entitled to recover from any such plaintiff, plain-  
7 tiffs, defendant or defendants against whom such verdict, judgment or finding  
8 may be rendered or recovered as special damages for attorney's fees a sum of  
9 money to be determined by the judge, court or jury trying the issue of fact in all  
10 such actions at law, in an amount not less than ten dollars (\$10) nor more than  
11 twenty-five per centum any such verdict, judgment, or finding.

Sec. 2. All acts or parts of acts inconsistent herewith are hereby repealed,





- 1 Introduced by Mr. Ireland, February 19, 1907.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an act to make appropriations for ordinary and other expenses of the Illinois State Reformatory at Pontiac.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the following amounts, or so much thereof as may be necessary, be, and the same are hereby appropriated to the Illinois State Reformatory, at Pontiac, for the purposes hereinafter named and no other:

6	For ordinary expenses ending June 30th, 1908 .....	\$200,000
7	For ordinary expenses ending June 30th, 1909 .....	200,000
8	For incidental repairs and improvements, \$5,000.00 per annum.....	10,000
9	For maintaining parole system, \$17,500 per annum.....	35,000

10	For repairs on roofs of buildings and renewing and relaying steam and water pipes, the sum of.....	8,000
11	For painting of farm and institutional buildings, the sum of.....	4,500
12	For renewing and repairing Administration Building, the sum of.....	10,000
13	For maintenance of electric lights, telephone, telegraph and fire alarm system, \$2,000.00 per annum.....	4,000
14	For materials for Trade School Instruction, \$5,000.00 per annum.....	10,000
15	For extension and equipment of Trade Schools, the sum of.....	10,000
16	For school books for inmates, \$600.00 per annum.....	1,200
17	For school seats, teachers' desks, charts, etc., \$600.00 per annum.....	1,200
18	For extension and equipment of Library, \$1,000.00 per annum.....	2,000
19	For purchase of horses and 25 head of cows, the building of one new barn sufficiently large to house 50 head of cows and for the erection of one large silo and the rebuilding of fences on the farm, the sum of.	9,000
20	For lectures, entertainments, concerts, etc., \$600.00 per annum.....	1,200
21	For equipment of surgical room (hospital) the sum of.....	500
22	For extension and equipment of the Manual Training School and the construction of two new one story shop buildings sufficiently large to accommodate 150 boys each, and providing for the salaries of Manual Training School instructors, the sum of .....	45,890
23	For remodeling kitchen and dining room, and buying new cooking uten- sils, rebuilding a part of old sewer and extending sewer connections, also furniture for dining room, the sum of.....	20,000
24	For extension of the school system, the sum of.....	2,500
25	For purchase of additional farm lands, the same not to be made without the approval of the Governor.....	40,000

- 26 For construction of a brick wall around the institution to take the place  
of the old board fence now in use, the sum of..... 30,000
- 27 For the purchase and installation of an ammonia compressor to take the  
place of the cold storage machine now worn out and practically use-  
less, the sum of..... 8,000
- 28 For material to erect a large drill hall and gynasium, the sum of..... 25,000

Sec. 2. The Auditor of Public Accounts is hereby authorized and directed

2 to draw his warrants on the State Treasurer for the amounts herein appro-  
3 priated, quarterly in advance, in so far as it relates to the appropriations for  
4 ordinary expenses, upon the order of the board of managers of said reforma-  
5 tory, signed by the president and attested by the secretary with the seal of the  
6 institution and the approval of the Governor thereto attached: *Provided*, That  
7 no part of such sums shall be due and payable to said institution until a de-  
8 tailed statement of receipts from all sources, together with a detailed statement  
9 of the expenditures accompanied by the original vouchers is filed with the Audi-  
10 tor of Public Accounts for all previous expenditures incurred and such detailed  
11 statement of receipts and expenditures shall show the balance on hand at the  
12 beginning of the period for which such statement is made, the total amounts re-  
13 ceived and expended, and the balance on hand at the close of the quarter for  
14 which the same is made; and the Auditor of Public Accounts is hereby author-  
15 ized and directed to draw his warrants on the State Treasurer for the sum  
16 hereby appropriated for special purposes upon the order of the board of man-  
17 agers, when accompanied by itemized bills of particulars, signed by the presi-  
18 dent and attested by the secretary, with the seal of the institution and approval  
19 of the Governor thereto attached, certifying that the expenditures mentioned in  
20 said bills of particulars has been made and that the amount is due and payable.



AMENDMENTS TO

45th Assem.

HOUSE—No. 330

Apr. 1907

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Amendments to House Bill No. 330, adopted by the House April 23, 1907.

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AMENDMENT NO. 1.

Amend House Bill No. 330, in line 0 of the printed bill, by striking out the figures “\$17,500” and inserting in lieu thereof the figures “\$15,000,” also strike out in the same line the figures “\$35,000,” and insert in lieu thereof “\$30,000.”

AMENDMENT NO. 2.

Strike out line 10 in the printed bill.

AMENDMENT NO. 3.

Strike out line 15 of the printed bill.

AMENDMENT NO. 4.

Strike out line 17 in the printed bill.



## AMENDMENT NO. 5.

Strike out in line 18 the figures “\$1,000” and insert in lieu thereof the figures “\$750.00,” also in the same line strike out the figures “\$2,000” and insert in lieu thereof the figures “\$1,500.00.”

## AMENDMENT NO. 6.

In line 19 strike the figures “\$9,000” and insert in lieu thereof the figures “\$4,000.”

## AMENDMENT NO. 7.

Strike out line 22 of the printed bill.

## AMENDMENT NO. 8.

In line 23 strike out the figures “\$20,000” and insert in lieu thereof the figures “\$10,000.”

## AMENDMENT NO. 9.

Strike out line 24 of the printed bill.

## AMENDMENT NO. 10.

Strike out line 26 of the printed bill.

## AMENDMENT NO. 11.

In line 27 strike out the figures “\$8,000” and insert in lieu thereof the figures “\$5,000.”

## AMENDMENT NO. 12.

Strike out line 28 of the printed bill.



- 1 Introduced by Mr. Krape, February 19, 1907.
- 2 Read by title, ordered printed and referred to Committee on Primary Elections.

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A BILL

For an act to amend section 61 of "An Act to provide for the holding and the regulation of primary elections of delegates to nominating conventions, for the holding of such conventions, filling vacancies and fixing penalties for the violation of the provisions thereof," approved May 23, 1906; in force July 1, 1906, so as to read as follows:

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SECTION 61. OFFENSES AND PENALTIES—No spirituous, malt, vinous or intoxicating liquor shall be sold or given away, nor shall any saloon or bar room or place where such liquor is sold or given away, be open during the holding of any primary election. Whoever violates the provisions of this section shall be fined in a sum not less than \$25.00 nor more than \$100.00. It shall be the duty of the sheriff, coroner, constable and other officers of the county, and magistrates and mayors of cities to see that the provisions of this section are enforced.

- 8 (1) If any person whose vote is challenged, or any witness sworn under

9 the provisions of this Act, shall knowingly, wilfully and corruptly swear falsely,  
10 he shall be deemed guilty of perjury, and on conviction thereof shall be punished  
11 accordingly.

12 (2) Whoever unlawfully votes more than once at any election, or offers to  
13 vote after having once voted at such election, shall, on conviction thereof, be fined  
14 in a sum not exceeding \$1,000.00, or imprisoned in the county jail not exceeding  
15 one year, or both, in the discretion of the court.

16 (3) Whoever wilfully aids or abets any one not legally qualified to vote  
17 at an election, in voting or attempting to vote at such election; or,

18 Second. Furnishes an elector with a ticket or ballot informing him that it  
19 contains a name different from that which appears thereon, with intent to induce  
20 him to vote contrary to his inclinations; or,

21 Third. Changes a ballot of an elector, with intent to deprive such elector  
22 of voting for such person as he intended; or,

23 Fourth. By unlawful means prevents or attempts to prevent any voter from  
24 attending or voting at an election; or,

25 Fifth. Gives, or offers to give, any valuable thing or bribe to any judge  
26 or clerk of an election, as a consideration of some act to be done or omitted to  
27 be done contrary to his official duty in relation to such election, shall on con-  
28 viction thereof, be fined in a sum not exceeding \$1,000.00, or imprisoned in the  
29 county jail not exceeding one year, or both, in the discretion of the court. And  
30 any judge or clerk who shall receive, request or demand any bribe or reward for-  
31 bidden by this Act shall, upon conviction, be liable to the same penalties as



32 are prescribed in this Act for the giving or offering to give such bribe or reward.

33 Any person who shall solicit, request, demand or receive, directly or indi-  
34 rectly, any money, intoxicating liquor or any other thing of value, or the promise  
35 thereof, either to influence his vote, or to be used, or under the pretense of being  
36 used to procure the vote of any other person or persons, or to be used at any  
37 poll or other place prior to or on the day of an election for or against any can-  
38 didate for office, or for or against any measure or question to be voted upon at  
39 such election, shall be deemed guilty of the infamous crime of bribery in elec-  
40 tion, and upon conviction thereof in any court of record, shall be sentenced to  
41 disfranchisement by the judge of such court for a term of not less than five nor  
42 more than fifteen years, and to the county jail not less than three months nor  
43 more than one year, and to pay the cost of prosecution and stand committed to  
44 the county jail until such costs are fully paid. That for a conviction of a second  
45 offense under this section, the first being alleged and proven, such offender shall  
46 be by sentence of the court forever thereafter disfranchised and deprived of the  
47 right to vote at an election in this State, and be imprisoned in the county jail  
48 not less than one year, and be committed to jail in default of the payment of  
49 costs of prosecution until such costs are fully paid. Prosecutions may be had  
50 under this section by indictment in the circuit court, or by information in the  
51 county courts, and the effect of a sentence of disfranchisement in either of said  
52 courts, both having jurisdiction of offenses hereunder, shall be to deprive such  
53 persons sentenced of the right to vote at any general or special election or town  
54 meeting, within this State for the period of time fixed by the court where such  
55 person shall be convicted under this section. Solicitation of any person of a loan  
56 of money, or the purchase of anything of value or the promise so to do, or any  
57 other subterfuge, shall be deemed a violation of this section.

58        *Any candidate or other person, in his employ, and acting for*  
 59 *or on his behalf, and with the knowledge of such candidate, who shall pay, fur-*  
 60 *nish or promise to pay or furnish to any person, money or any other valuable*  
 61 *thing, or who shall make any corrupt bargain with any person, either to influence*  
 62 *the vote of such person, or to be used, or under the pretence of being used to pro-*  
 63 *cure the vote of any other person or persons, or to be used at any poll or other*  
 64 *place, prior to or on the day of election, in favor of such candidate or against any*  
 65 *other candidate for office, shall be deemed guilty of the infamous crime of bribery*  
 66 *in elections, and upon conviction thereof in any court of record, if a candidate, he*  
 67 *shall thereby forfeit his nomination and election to such office for which he was*  
 68 *a candidate, and if not successful as a candidate, either for the nomination or at*  
 69 *the election, he shall, upon conviction for such offense, be sentenced to disfran-*  
 70 *chisement for a term of years, not less than one nor more than ten years; and*  
 71 *any such person acting as agent of such candidate and for and on his behalf, who*  
 72 *shall be guilty of such offense, shall, upon conviction thereof, be sentenced to dis-*  
 73 *franchisement by the judge of such court for a term of not less than five nor more*  
 74 *than fifteen years, and to the county jail not less than three months nor more*  
 75 *than one year and pay the costs of prosecution and stand committed to the*  
 76 *county jail until such costs are fully paid.*

77        *Nothing herein provided shall disqualify such candidate or his agent, or per-*  
 78 *son acting on his behalf as above provided, from being a competent witness, who*  
 79 *shall be compelled to testify in all prosecutions under this section of persons who*  
 80 *shall be charged with bribery in elections for soliciting, requesting, demanding*  
 81 *or receiving any money or other thing of value, as in this section is provided*  
 82 *In case of conviction of any candidate for the violation of this section, judgment*  
 83 *of forfeiture of the nomination or election of such candidate to any office, shall*

84 *be entered by the judge of the court, in which said proceeding shall be filed as a*  
 85 *part of the judgment entered in such cause.*

86       Second. Any person who shall have been legally convicted and disfranchised  
 87 by a court of competent jurisdiction, who shall before the expiration of his term  
 88 of disfranchisement, vote or offer to vote at any general or special election, or  
 89 town meeting within this State, shall, upon indictment and conviction thereof in  
 90 a court of competent jurisdiction, be confined in the penitentiary for a term of  
 91 years, not less than one or more than ten years.

92       (6) Whoever is disorderly at any election shall forfeit a sum not exceed-  
 93 ing \$25.00.

94       (7) Whoever bets or wagers any money, property or other valuable thing  
 95 upon the result of an election which may be held under the Constitution or laws  
 96 of this State, or bets or wagers money, property or other valuable thing upon the  
 97 number of votes which may be given to any person at an election, or upon who  
 98 shall receive the greatest number of votes at an election; or agrees to pay any  
 99 other person any money, property or other valuable thing, in an event that an  
 100 election shall result in one way, or in the event that any person shall or shall  
 101 not be elected, or shall receive a greater number of votes than others, upon con-  
 102 viction thereof shall be fined in a sum not exceeding \$1,000.00, or imprisoned in  
 103 the county jail not exceeding one year, or both, in the discretion of the court.

104       If any judge of an election shall permit a person to vote whose vote is chal-  
 105 lenged, without the proof required in this Act; or,

106       Second. Shall knowingly and wilfully permit a person to testify as a witness  
 107 contrary to the provisions of this Act; or,

108 Third. Shall knowingly permit a person to vote who is not qualified ac-  
109 cording to law; or the same election for the same office, except as allowed by  
110 law; or,

111 Fourth. Shall knowingly receive and count more than one vote from the  
112 same person at the same election for the same office, except as allowed by  
113 law; or,

114 Fifth. Shall refuse to receive the vote of a qualified elector at such election,  
115 who shall make the affidavit and proof required by this Act; or,

116 Sixth. Shall be guilty of any fraud, corruption, partiality or manifest mis-  
117 behavior; or,

118 Seventh. Shall open or unfold any ballot when the same is represented to  
119 be deposited in the ballot box; or,

120 Eighth. Shall wilfully neglect to perform any of the duties required of him  
121 by this Act, shall, on conviction thereof, be deemed guilty of contempt of the  
122 county court.

123 (9) If any clerk of an election shall wilfully neglect to perform  
124 any duty required of him as clerk of election, or shall be guilty of fraud, cor-  
125 ruption or misbehavior as such clerk, he shall, on conviction, be fined in a sum  
126 not exceeding \$500.00, or imprisoned in the county jail not exceeding six months,  
127 or both, in the discretion of the court.

128 (10) If any judge, clerk or messenger, after having been deputed by  
129 the judges of election to carry the poll books, tally lists and votes of such elec-  
130 tion to the place where by law they are required to be canvassed, wilfully or neg-



131 ligently fails to deliver such poll books, tally lists or ballots, within the time  
 132 prescribed by law, with the seal unbroken, he shall, upon conviction, be fined in  
 133 a sum not exceeding \$500.00, or imprisoned in the county jail not exceeding six  
 134 months, or both, in the discretion of the court.

135 (11) If the county clerk wilfully neglects or refuses to perform any  
 136 duty required of him by this Act, he shall, upon conviction, be fined in a sum  
 137 not exceeding \$500.00, and shall be liable to the person injured by reason of such  
 138 neglect or refusal, in an amount not exceeding \$500.00, to be recovered in an  
 139 action on the case.

140 (12) If any county clerk or justice of the peace shall be guilty of fraud,  
 141 corruption or misbehavior in canvassing the votes or making any abstract of  
 142 votes or issuing any certificate of election, he shall, on conviction, be fined in  
 143 any sum not exceeding \$500.00, or imprisoned in the county jail not exceeding  
 144 one year, or both, in the discretion of the court.

145 (13) Whoever shall wilfully and wrongfully take or carry away from  
 146 the place where it has been deposited for safe keeping, or deface, mutilate or  
 147 change any poll book, ballot or tally list, or any name or figure therein, shall,  
 148 on conviction, be fined in a sum not exceeding \$1,000.00, or imprisoned in the  
 149 county jail not exceeding one year, or both, in the discretion of the court.

150 If any judge of election, clerk or other officer of election, of whom any duty  
 151 is required in this Act, or by the general laws of this State, for the omission of  
 152 which duty no punishment is provided, shall be guilty of any wilful neglect of  
 153 such duty or of any corrupt or fraudulent conduct or practice in the execution  
 154 of the same, he shall, upon conviction thereof, be adjudged guilty of a misde-  
 155 meanor under this Act.



Any person or member of a board, or any judge of election, clerk or other officer, who is guilty of stealing, wilfully and wrongfully breaking, destroying, mutilating, defacing, falsifying or unlawfully removing or secreting, or detaining the whole or any part of any ballot box or receptacle for ballots, or any record, registry of voters, or copy thereof, oath, return or statement of votes, certificate, poll list, or of any paper or document provided for in this Act;

Or who shall fraudulently make any entry, erasure or alteration therein except as allowed and directed by the provisions of this Act, or who permits any other person so to do, shall, upon conviction thereof, be adjudged guilty of a felony under this Act.

Every person who advises, procures or abets the commission of any of the acts mentioned in the last preceding two paragraphs, shall, upon conviction thereof, be adjudged guilty of a felony under this Act.

If any person knowingly or wilfully shall obstruct, hinder or assault, or by bribery, solicitation or otherwise interfere with any judge of election, clerk or challenger, in the performance of any duty required of him, or which he may be by law authorized or permitted to perform;

If any person knowing that he is not qualified to vote at such primary election, takes a place in any line of voters waiting to vote at an election, or if any person, after having voted at such election, takes a place in such waiting line, or if any person repeatedly takes a place in such waiting line without voting when the opportunity comes, and who systematically gives up his place in such waiting line, such person shall, upon conviction thereof, be adjudged guilty of a misdemeanor under this Act.

180 If any person shall commit any act prohibited herein, or refrain from doing  
 181 any act or duty required to be done herein, and if any person shall in any manner  
 182 be guilty of a violation of this Act, whether the same is denominated an offense  
 183 or not, and for which no punishment is herein specially provided, such per-  
 184 son shall, upon conviction thereof, be adjudged guilty of a misdemeanor under  
 185 this Act.

186 Any person adjudged **guilty of an offense denominated a misdemeanor un-**  
 187 **der this Act,** shall be fined **not less than twenty-five** dollars (\$25.00) nor more  
 188 than one thousand dollars (**\$1,000.00**), or shall be imprisoned in the county jail  
 189 not less than one month nor more than two years, or any such person may be  
 190 punished by both such fine and imprisonment.

191 Any person adjudged guilty of an offense denominated a felony in this Act  
 192 shall be punished by imprisonment in the penitentiary for not less than one  
 193 year nor more than five years.

194 If any person shall wilfully disobey any lawful command of any judge of  
 195 election, given in the execution of his duty as such, at any such primary elec-  
 196 tion, he shall, upon conviction thereof, be adjudged guilty of a misdemeanor  
 197 under this Act.

198 If, on any day of primary election, or during the canvass of the votes cast  
 199 thereat, any person shall cause any breach of the peace or be guilty of any dis-  
 200 orderly violence, or threats of violence, whereby any such election or canvass  
 201 shall be impeded or hindered, or whereby the lawful proceedings of any judge  
 202 of election or clerk, or other officer of such election, or challenger, are inter-  
 203 fered with, or cause intoxicating liquors to be brought or sent to the polling

204 place, every such person shall, upon conviction thereof, be deemed guilty of  
205 a misdemeanor under this Act.

206 Any person who votes with a certain party at such primary election, when  
207 he knows he is not qualified so to vote under the provisions of this Act, shall,  
208 upon conviction thereof, be deemed guilty of a misdemeanor under this Act.

- 
- 1 Introduced by Mr. Lindly, February 19, 1907.
  - 2 Read first time, ordered printed and to a second reading without reference.
- 

## A BILL

For an act to amend section 3 of an act entitled "An Act to provide for scholarships for graduates of the eighth grade," approved May 12, 1905,

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That section 3 of an act entitled "An Act  
3 to provide for scholarships for graduates of the eighth grade," approved  
4 May 12, 1905, be, and the same is hereby amended so as to read as follows:

Sec. 3. All examinations shall be held on any Saturday between the first  
2 day of March and the fifteenth day of May in each year, according to rules and  
3 regulations prescribed by the Superintendent of Public Instruction, and the  
4 pupil found to possess the highest qualifications shall be entitled to such  
5 scholarship: *Provided, however,* That such pupil shall be a resident of the town-  
6 ship in which such examination is held: *And, Provided, further,* That where  
7 no application is received from any township, the county superintendent of

8 schools shall assign the pupil found to possess the next highest qualifications  
9 to that township.

Sec. 3a. WHEREAS, An emergency exists, therefore this Act shall take effect  
2 and be in force from after its passage.



- 1 Introduced by Mr. McBride, February 19, 1907.
- 2 Read by title, ordered printed and referred to Committee on Municipal Corporations.

---

## A BILL

For an act to enable incorporated cities, towns and villages, organized under any general or special law, to levy and collect a tax or license fee upon all express companies, persons, associations or corporations doing express business, for the benefit of such cities, towns, or villages.

---

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That all express companies, persons, as-  
3 sociations or corporations doing express business in any incorporated cities,  
4 towns or villages, shall pay to the treasurer of the city, town or village, a sum  
5 not exceeding two per cent per annum of the gross receipts of said companies,  
6 received by their agency in such city, town or village.

7 Cities, towns and villages are hereby empowered to prescribe, by ordinan-  
8 ces, the amount of tax or license fee to be fixed, not in excess of the above rate,  
9 and at that rate such companies, persons, associations or corporations shall pay  
10 upon the amount of all gross receipts, which during the year ending on the first

11 day of July, shall have been received by its agency in such city, town or village.  
 12 Every person who shall act in any city, town or village as agent or otherwise.  
 13 for or on behalf of any such company or companies shall, on or before the fif-  
 14 teenth day of July of each and every year, render to the city, town or village clerk,  
 15 a full, true and just account, verified by his oath, of the receipts, which during the  
 16 year ending on the day of July preceding such report, shall have been received  
 17 by him, as agent or otherwise, of such company or companies, or any other  
 18 person, association or corporation, for him in behalf of such company or com-  
 19 panies. Such agent shall also pay to the treasurers of any such city, town or  
 20 village at the time of rendering the aforesaid report, the amount of tax or li-  
 21 cense fee, fixed by the ordinances of said cities, towns or villages for which the  
 22 companies, persons, associations or corporations are severally chargeable by  
 23 virtue of this Act and the ordinances passed in pursuance hereof. If such report  
 24 be not rendered on or before the day herein designated for that purpose, or if  
 25 the said tax shall remain unpaid after that day, it shall be unlawful for any such  
 26 company, person, association or corporation so in default, to transact any ex-  
 27 press business in any such city, town or village until the said requisitions have  
 28 been fully complied with.

Sec. 2. Any person or persons violating any of the provisions of this Act  
 2 shall be subject to indictment, and upon conviction thereof in any court of com-  
 3 petent jurisdiction, shall be fined in any sum not exceeding one thousand dollars  
 4 (\$1,000). The amount of said tax or license fee may also be recovered of said  
 5 person, association or corporation or its agents, by an action in the name and  
 6 for the use of any such city, town or village as for money had and received.

Sec. 3. All acts, or parts of acts, in conflict with the provisions of this Act.  
 2 are hereby repealed.

- 
- 1 Introduced by Mr. McBride, February 19, 1907.
  - 2 Read by title, ordered printed and referred to Committee on Insurance.

---

## A BILL

For an act to prohibit the issuance of policies or certificates of insurance companies upon the life of any person less than fourteen (14) years of age.

---

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That no corporation, association or com-  
3 pany doing the business of life insurance in this State, shall issue a certificate  
4 or policy upon the life of any person less than fourteen (14) years of age.

Sec. 2. Any corporation, association or company issuing such policies or  
2 certificates, contrary to the provisions of this Act shall, upon the order of the  
3 Superintendent of Insurance, cease to do business in this State.

Sec. 3. All laws, or parts of laws, in conflict herewith, are hereby repealed.



- 1 Introduced by Mr. McBride, February 19, 1907.
- 2 Read by title, ordered printed and referred to Committee on Sanitary Affairs.

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## A BILL

For an act concerning the cutting and sale of ice.

---

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That it shall be unlawful for any com-  
3 pany, firm, corporation or person to sell or offer for sale, or to bring into this  
4 State for the purpose of selling or otherwise disposing of, any ice which has  
5 been cut or taken from any river, stream, lake or creek which is polluted by  
6 sewage, or into which river, stream, lake or creek is, or has been emptied the  
7 sewage of any city, village or town, or the waste or refuse from any stock yards,  
8 distillery or factory.

Sec. 2. Any company, firm, corporation or person violating the provisions  
2 of this Act, shall, upon conviction, be fined not less than fifty dollars nor more  
3 than two hundred dollars.





- 1 Introduced by Mr. McNally, February 19, 1907.
- 2 Read by title, ordered printed and ordered to lie on Speaker's Table.

## A BILL

For an act to amend "An Act to authorize recorders of deeds in counties where recorders of deeds are elected to keep abstract books, to make abstracts of title and fixing the fees and compensation therefor," approved June 16, 1887.

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That section 1 of "An Act to authorize  
3 recorders of deeds in counties where recorders of deeds are elected to keep  
4 abstract books, to make abstracts of title and fixing the fees and compensation  
5 therefor," approved June 16, 1887, be and the same is hereby amended so as to  
6 read as follows:

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That in all counties where a recorder of  
3 deeds is elected, in which said recorder of deeds has heretofore been, or shall  
4 hereafter be required by the county board to keep abstract books showing by

5 tracts every conveyance or incumbrance recorded, the date of the instrument,  
6 the time of filing the same, the book and page where the same is recorded, and  
7 showing a true chain of title to each tract and the incumbrance thereon, as  
8 shown by the records of his office, such recorder shall, and he is hereby authori-  
9 zed, to keep judgment dockets and indexes thereto, showing all judicial proceed-  
10 ings affecting title to real estate in such county tax sale book, with indexes there-  
11 to, showing sales or forfeitures of all lands in the county for unpaid taxes and  
12 assessments, and such other books as are usual or necessary to be kept for the  
13 purpose of making complete abstracts of title to real estate; and the county  
14 board shall furnish such recorder with the necessary rooms, books, stationery,  
15 fuel and light for the purposes herein set forth: *Provided*, That nothing in this  
16 Act shall be construed to empower the recorder to prevent the public from  
17 examining and taking memoranda from all records and instruments filed for  
18 record, indexes, abstract books, judgment dockets, tax sale books, abstracts,  
19 copies of abstracts, abstract copying books or any other books in his official  
20 custody; but it shall be his duty at all times, when his office is or is required by  
21 law to be open, to allow all persons without fee or reward to examine and take  
22 memoranda from the same.

- 1 Introduced by Mr. McNally, February 19, 1907.
- 2 Read by title, ordered printed and to lie on Speaker's Table.
- 

## A BILL

For an act to enable County Boards to control the use of the public records and property for the purposes of the business of making abstracts of title, and title guarantee policies; fixing maximum fees and charges which may be charged for abstracts so made; providing penalties for violation of the provisions thereof; amending an act to legalize the acts of deputy recorders, and to repeal all existing laws inconsistent therewith.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented*  
2 *in the General Assembly:* The County Boards of the several counties shall have  
3 power to regulate and control the business of making abstracts of title to real  
4 estate, and title guarantee policies, from the public records, for hire, and no per-  
5 son or corporation engaged in the business of making abstracts of title, or title  
6 guarantee policies, for hire, shall be permitted to use the public records or prop-  
7 erty in the prosecution of his or its business, unless the provisions of this Act  
8 shall be complied with.

Sec. 2. The County Board shall have power to charge to every person or corporation engaged in the business of making abstracts of title, or title guarantee policies, for hire, a certain fee or fees for the use of any and every book, document, map or record belonging to the county which he or it may have occasion to use in the prosecution of his or its business and also to charge to every such person or corporation a fee or rental for any room or space occupied by him or it, in any county building or buildings in the business of making abstracts, or title guarantee policies, in proportion to the room or space so occupied; all such fees and rentals to be fixed by the County Board, to be charged as a condition precedent to the use of such public books, maps, records, documents, room or space, for the purpose of such business; and all such fees and rentals shall be paid to the County Treasurer or Collector in the manner to be prescribed by the County Board, and to be used as a part of the general fund of the county, to be expended as directed by the County Board.

Sec. 3. No person engaged in the business of making abstracts of title from the public records and files shall be allowed to charge more than the following fees, to-wit:

For certificate to abstract .....	\$3.00
For each instrument shown in abstract ....	1.00
For each tax sale or judgment shown ..	1.00
For each page of chancery or probate or other court records...	1.50
For certified copies, per page .....	.50

And any and all persons so engaged who shall charge a greater sum than the charge above named for the service mentioned, shall be guilty of the crime of extortion and be punished by a fine of not less than one hundred dollars and not



12 exceeding one thousand dollars, for every such offense. And any person found  
13 guilty of making any charge in excess of the above charges shall thereafter be re-  
14 fused the use of the public records, maps, indices, documents and property, by  
15 the County Board and by the recorders, clerks and other county officers having  
16 the same in charge, until such fine shall be paid and discharged.

Sec. 4. The County Board of any county in which abstract books have  
2 been made, may whenever they deem it expedient, grant the right to such person  
3 or persons, corporation or corporations as to such County Board shall seem prop-  
4 er, under such restrictions as the County Board may provide, to make copies or  
5 duplicates of any and all such abstract books, records, files and indices, such  
6 copies or duplicates to be used in the business of making abstracts of title, or  
7 title guarantee policies, or both: *Provided, however,* That no such right or  
8 privilege shall be granted unless compensation therefor be made to the county,  
9 either in a lump sum, or by way of a percentage of the profits by such abstract and  
10 title guarantee business, as the County Board shall provide, as a condition prece-  
11 dent to such right or privilege being granted: *And, Provided, also,* That the Coun-  
12 ty Board shall at all times have the right, exclusively, to determine to whom  
13 such rights and privileges shall be granted, to determine the nature and amount  
14 of compensation and at all times to govern and restrict such copying privileges,  
15 when granted, so as not to interfere with the public business, or with the proper  
16 use of the public records and files by persons not engaged in such business; and to  
17 restrict the number of persons or corporations, to whom such privileges may be  
18 granted, to one or more, in its discretion. And when such right or privilege shall  
19 be regularly granted by the County Board, it shall be the duty of the Recorder  
20 of Deeds, County Clerk, clerks of the courts, and all other county officers having

21 such county property in charge, to recognize such permission and authority to  
22 make copies, etc., and to permit the same to be carried into effect.

Sec. 5. Section 21 of an act to legalize the acts of deputy recorders (ap-  
2 proved March 20, 1879), shall be, and the same is hereby amended, so as to read  
3 as follows:

4 All records, indices, abstract and other books kept in the office of any recor-  
5 der, and all instruments filed for record therein shall, during office hours, be open  
6 for public inspection and examination; and all persons shall have access for in-  
7 spection and examination to such records, indices, books and instruments, which  
8 the recorders shall be bound to exhibit to those who wish to inspect or examine  
9 the same; and all persons (except persons engaged in the business of making ab-  
10 stracts of title for hire) shall have the right to take memoranda and abstracts  
11 thereof without fee or reward. And it shall be lawful for the County Board to  
12 fix such fee for the use thereof by persons engaged in the business of making  
13 abstracts of title, or title guarantee policies, for hire, as to such County Board  
14 shall seem expedient; and, where such fees shall be fixed by such County Board,  
15 it shall be unlawful for any person to use such records, indices and books, in  
16 connection with such business, without payment of the fees so fixed.

Sec. 6. All acts or parts of acts inconsistent with this Act are hereby  
2 repealed.

- 1 Introduced by Mr. McNally, February 19, 1907.
  - 2 Read by title, ordered printed and to lie on Speaker's Table.
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## A BILL

For an act empowering county boards in the counties in this State having a population of more than 300,000 inhabitants, to regulate the use by the public of any room or space in any county office, in which any public records are kept; allowing assignments of space therein to persons engaged in the business of making abstracts of title or title guarantee policies, or other business requiring frequent use of public records, and fixing maximum fees to be charged in such abstract and title guarantee business by those availing themselves of this Act.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That the county boards in the counties  
3 in this State having a population of more than 300,000 inhabitants, in their re-  
4 spective counties shall have power, as hereinafter provided, to regulate the use  
5 of any room or space in any county office or building in which any public rec-  
6 ords, books or instruments are kept, by persons who may have occasion to con-

sult or use the same in connection with their business: *Provided*, That the right of the public at all times to use any and all such public records, books or instruments, as provided by law, shall not be interfered with.

Sec. 2. Any person or persons or corporation engaged in the business of making abstracts of title to real estate, or title guarantee policies, or both, or in any other business requiring constant or frequent use of any public records or books or instruments, in this State having a population of more than 300,000 inhabitants, may apply to the county board in its respective county for an assignment of convenient space in each room or place in any or every county office in which any public records, books or instruments are kept and thereupon the county board may make such assignment or assignments as shall be convenient and shall not interfere with the rights of the public, or with the duties of any county officer or employe, to such applicant, if found by the county board to be a proper person or persons or corporation to whom such assignment may be made, for the purpose of examining, copying, or making memoranda or extracts from the public records, books, indexes, abstract books, judgment dockets and indexes thereto, abstracts, copies of abstracts, abstract copying books, tax sale books, or any other books kept in such office, and for such use and purpose only.

Sec. 3. No person, persons or corporation engaged in the business of making abstracts of title from the public records, books and instruments and to whom any assignment of space shall have been made, as aforesaid, shall be allowed to charge any fee or compensation in excess of the following, to-wit:

For certificate to abstract.....	\$3.00
For each instrument shown in abstract .....	1.00



- 7 For each tax sale or judgment shown..... 1.00  
 8 For each page of chancery or probate or other court records..... .50  
 9 No person or persons, or corporation, engaged in the business of making title  
 10 guarantee policies from the public records, books and instruments and to whom  
 11 any assignment of space shall have been made as aforesaid, shall be allowed to  
 12 charge any fee or compensation in excess of the following, to-wit:

	Mortgage Owner's	
	Policies.	Policies.
15 For policies of \$1,000 or less.....	\$20.00	\$30.00
16 Over \$1,000 to include \$2,000.....	24.00	36.00
17 Over \$2,000 to include \$3,000.....	28.00	42.00
18 Over \$3,000 to include \$4,000.....	32.00	48.00
19 Over \$4,000 to include \$5,000.....	35.00	52.50
20 Over \$5,000 to include \$6,000.....	38.00	57.00
21 Over \$6,000 to include \$7,000.....	41.00	61.50
22 Over \$7,000 to include \$8,000.....	44.00	66.00
23 Over \$8,000 to include \$9,000.....	47.00	70.50
24 Over \$9,000 to include \$10,000.....	50.00	75.00

25 For each additional \$1,000 or fraction thereof, over and above \$10,000, \$2.50  
 26 for mortgage policies, and \$3.75 for owner's policies, in addition to the above  
 27 charges.

28 And any person or persons or corporation, so engaged and to whom  
 29 such assignment of space shall have been made as aforesaid, who shall  
 30 charge or exact a greater sum than the charge above named for the serv-  
 31 ices mentioned, shall be liable to pay, as a penalty, a sum equal to double the



amount of the excess charged, or exacted, and paid for any such service, over and above the charge herein fixed and specified. Such penalty shall be recoverable by any party who may have paid any such excessive charge or compensation, his representatives and assigns, in an action of debt, in any court of record; and, where the amount sought to be recovered does not exceed two hundred (200) dollars, in the court of any justice of the peace.

And any person or persons, or corporation making any charges for any such services, in excess of the charges and compensation herein specified, respectively, shall thereafter, and until such excess and penalties as herein provided shall be paid to the party or parties entitled to the same, be refused the use of any and every such room or space assigned as aforesaid, and such assignment may thereupon, in case of any such overcharge, be cancelled or revoked by the county board, and when any such assignment of room or space shall have been cancelled or revoked, the county board may thereafter renew the same or make a new assignment when it shall be satisfied that such person, persons or corporation has entirely abandoned the practice of making such excessive charges, and has refunded and repaid all such excess and penalties, to the parties entitled to the same, as herein provided.

Sec. 4. No recorder of deeds, county treasurer, county clerk, clerk of a court or any other county officer, except only the county board, as herein provided, shall have the right or power to assign or set apart any room or space in his office, or in the place assigned to him for his official purposes, or any part thereof, to anyone, or to permit any such room or space to be used by anyone, except the employes and clerks actually employed in his office. But any and every assignment of room or space in any county office or in

8 any place occupied by any county officer, except to the actual employes of the  
9 office, shall be made by the county board, and by the county board only when  
10 it shall find that the same is necessary or expedient for the purpose of facil-  
11 itating public business, and that it can be made without restricting or inter-  
12 fering with the proper use of such office by the county officers and em-  
13 ployes, and by the public. And when any such assignment or assignments  
14 shall have been made by the county board, it shall be the duty of every coun-  
15 ty officer and employe to recognize the same, and to permit the action of the  
16 county board in such case to be carried into effect.

Sec. 5. All acts or parts of acts inconsistent with this Act are hereby re-  
2 pealed.

the first of these is the fact that the number of cases of the disease is not proportional to the number of persons exposed to the disease. This is evident from the fact that the number of cases is not proportional to the number of persons exposed to the disease.

The second of these is the fact that the number of cases of the disease is not proportional to the number of persons exposed to the disease. This is evident from the fact that the number of cases is not proportional to the number of persons exposed to the disease.

The third of these is the fact that the number of cases of the disease is not proportional to the number of persons exposed to the disease. This is evident from the fact that the number of cases is not proportional to the number of persons exposed to the disease.

The fourth of these is the fact that the number of cases of the disease is not proportional to the number of persons exposed to the disease. This is evident from the fact that the number of cases is not proportional to the number of persons exposed to the disease.

The fifth of these is the fact that the number of cases of the disease is not proportional to the number of persons exposed to the disease. This is evident from the fact that the number of cases is not proportional to the number of persons exposed to the disease.

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- 1 Introduced by Mr. Mills, February 19, 1907.
  - 2 Read by title, ordered printed and to lie on Speaker's table.
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## A BILL

For an act to amend sections 2, 3, and 4, of an act entitled "An Act to authorize Recorders of Deeds, in counties where Recorders of Deeds are elected, to keep abstract books, to make abstracts of title, and fixing the fees and compensation therefor, and to repeal an act therein named," approved May 14, 1903, in force July 1, 1903.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That sections 2, 3, and 4, of an act entitled  
3 "An Act to authorize recorders of deeds, in counties where recorders of deeds  
4 are elected, to keep abstract books, to make abstract of title, and fixing the  
5 fees and compensation therefor, and to repeal an act therein named," approved  
6 May 14, 1903, and in force July 1, 1903, be and the same is hereby amended so  
7 as to read as follows;

Sec. 2. Every recorder of deeds keeping such books is hereby authorized,

and it shall be his duty, to make and certify under the seal of his office, for all persons desiring the same, abstracts of title to real estate in his county, and to charge therefor, in counties of the third class, not to exceed the following fees:

For each certificate, certifying to the condition of the title as shown by such abstract, judgment and tax books, the sum of three dollars (\$3.00), said sum of three dollars (\$3.00) to include the showing of one instrument of conveyance, incumbrance or release thereof, judgment or tax sale. For each additional instrument of conveyance, incumbrance or release thereof, the sum of one dollar (\$1.00). For each additional judgment or tax sale, the sum of seventy-five (75) cents. For chancery and probate court proceedings necessary to be shown, *one dollar and fifty cents (\$1.50)* per page. Which fees shall be accounted for by such recorder in like manner with fees received by him from recording. *Every such recorder is also hereby authorized to make and certify under the seal of his office copies (either printed or written) of abstracts of title or examinations of title made by other abstractors, firms or corporations, and copies of any such abstracts or examinations of title (or copies thereof) as may have been filed for record in his office, and to charge therefor in counties of the third class, not to exceed the sum of fifty (50) cents per page.* And every such recorder shall for his services in keeping such books and making such abstracts of title in counties of the third class, receive a salary of one thousand dollars per annum, to be paid only out of the fees of his office actually collected, which compensation shall be in addition to the salary allowed him for his duties as recorder; in counties of the second class he shall receive such salary and be authorized to charge such fees as may be filed by the county board.

Sec. 3. Every such recorder shall, before making and certifying such ab-



2 stracts of title, give a bond with sufficient security, to be approved by the coun-  
 3 ty board, payable to the county of which he is such recorder, in the penal sum of  
 4 ten thousand dollars, conditioned to secure the accuracy and correctness of any  
 5 and all such abstracts of title, and to indemnify the county for all actual losses or  
 6 damages which the county may be required to pay by reason of any errors, mis-  
 7 takes or omissions in any such abstracts of title, to any and all persons. And  
 8 such county shall reimburse any and all persons purchasing any such abstracts  
 9 of title from such recorder, *and all purchasers and encumbrancers of the real es-*  
 10 *tate therein described, for any and all losses and damages sustained by any such*  
 11 *persons on account of the errors, mistakes or omissions of such recorder in*  
 12 *making such abstracts or copies of abstracts.*

Sec. 4. *All fees collected by recorders from the abstract department, under*  
 2 *the provisions of this Act, shall be paid by such recorder to the county treasurer*  
 3 *of his county, for the purpose of creating an indemnity fund, until such fund*  
 4 *shall reach the sum of five hundred thousand (500,000) dollars, when payments*  
 5 *to the said fund shall thereafter be made at the rate of ten per cent of all such*  
 6 *fees collected until the sum of one million (1,000,000) dollars shall be and re-*  
 7 *main in said fund; and whenever at any time such fund shall fall below the said*  
 8 *last mentioned sum, the payments of ten per cent as above provided shall con-*  
 9 *tinue to be made until such fund shall be increased to the sum of one million (1,*  
 10 *000,000) dollars. It shall be the duty of the treasurer to invest all of said*  
 11 *funds, principal and income, in his hands from time to time, if not immediately*  
 12 *required for payment of indemnities, and report annually to the county board*  
 13 *the condition and income thereof. All investments of the fund or any part*  
 14 *thereof shall be made with the approval of said county board. The said fund*  
 15 *shall be invested only in the bonds or securities of the United States or of this*

16 State, or counties or other municipalities of this State. Said fund shall be held  
17 to satisfy judgments obtained or claims allowed against the county for losses or  
18 damages as aforesaid. Such claims for damages may be presented to any such  
19 county boards, and such county boards are hereby authorized and empowered  
20 to allow or reject the same in accordance with such practice as may be by  
21 them adopted, and to provide for the payment of such claims as may be allowed.  
22 The rejection of any claim so presented shall be no bar to the bringing of suit  
23 for the same in any court of competent jurisdiction. No claims for such losses  
24 or damages shall be allowed and paid by any such county board, unless upon the  
25 recommendation of the recorder who shall be in office at the time said claim  
26 shall be allowed. Upon the rendition of a judgment by a court of competent  
27 jurisdiction upon such claim, or upon the allowing of such claim by the county  
28 board, payment thereof shall only be made upon the order of such county  
29 board. Until the indemnity fund provided as aforesaid, shall have been exhaust-  
30 ed, payment for any such losses or damages shall be made out of such fund.

- 1 Introduced by Mr. Navigato, February 19, 1907.
- 2 Read by title, ordered printed and referred to Committee on Insurance.

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## A BILL

For an act to amend section 30 of an act entitled "An Act to incorporate and to govern fire, marine and inland navigation insurance companies doing business in the State of Illinois, approved May 31, 1879, in force July 1, 1879.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 30 of an act entitled "An Act to incorporate and to govern fire, marine and inland navigation insurance companies doing business in the State of Illinois," approved May 31, 1879, in force July 1, 1879, be amended to read as follows:

Sec. 30. Every fire, marine and inland navigation insurance company organized or incorporated under the laws of any other state or nation shall, at the time of making the annual statement as required by law, pay to the Insurance Superintendent as a license fee, a sum equal to two per cent of the gross amount of premiums received by it for business done in this State including all

6 insurance upon property situated in this State, during the preceding calendar  
7 year. In computing said license fee, the Insurance Superintendent shall deduct for  
8 the amount to be paid by the provisions of this Act such sums as have been paid  
9 during the preceding calendar year that any company shall have been required  
10 to pay into cities and villages for the benefit of the fire department, as required  
11 by law, also any payments made for the benefit of a fire patrol, which has been  
12 established by law, also any payments which it will be required to make for the  
13 benefit of the fire marshal or his assistants.

14 The payment of said license fee shall be a condition precedent to the privi-  
15 lege of doing business in this State.

16 The term "gross premiums" is hereby declared to mean gross premiums less  
17 returned premiums and reinsurance premiums paid to companies authorized to  
18 transact business in the State of Illinois.

Sec. 2. All acts and parts of acts in conflict herewith are hereby repealed.

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- 1 Introduced by Mr. Provine, February 19, 1907.
  - 2 Read by title, ordered printed and referred to Committee on Live Stock and  
Dairying.
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## A BILL

For an act to provide for the inspection of any animal intended for human food, appearing to be diseased, and for the disposition of the carcass.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly:* That for the purpose of preventing the use of meat  
3 or meat food products for human food which are unsound, unhealthful, unwhole-  
4 some or otherwise unfit for human food, the Board of Live Stock Commissioners  
5 may, at their discretion, make or cause to be made, by the State Veterinarian, or  
6 his assistants, or any duly authorized live stock inspector in the employ of the  
7 State of Illinois, an examination of any animal intended for human food which  
8 he or they believe is afflicted with any contagious or infectious disease, or any  
9 disease or ailment which would render the carcass of said animal unfit for human  
10 food.



Sec. 2. In event any animal shall be inspected by any person herein authorized to make said inspection, and in his judgment found to be afflicted with any disease or ailment which would render said animal unfit for human food, it shall be the duty of the person making said examination to forthwith take possession or control of said animal, and notify the owner or person or corporation in control or possession of such animal that such animal is unfit for human food; whereupon, said animal shall immediately be killed and the carcass examined by some person or persons authorized to make inspection of such animals. If upon examination of the carcass, it shall appear to the examiner that the same is suitable for human food, he shall allow the person or corporation from whom said animal was taken to make disposition of the animal or such examiner shall cause the same to be sold; but if in the opinion of such inspector any such carcass is unwholesome or unfit for human food, then the same shall be, by him, stamped, marked, tagged or labeled, "*Inspected and Condemned*," and every such condemned carcass shall be destroyed for the purposes of human food: *Provided*, That, if such carcass shall be disposed of for food purposes by such inspector, the proceeds thereof shall be accounted for as the Board of Live Stock Commissioners may provide.

Sec. 3. Any person, firm or corporation who shall, in any manner, fail, neglect or refuse to comply with any provision in this Act contained, shall be deemed guilty of a misdemeanor, and upon conviction thereof, be punished by a fine of not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500), or confined in the county jail not exceeding one year, or both.













UNIVERSITY OF ILLINOIS-URBANA  
Q. 328.773 B1H C001 v.45:1-341(1907  
House bills (Introduced in the) General



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